

Duquesne University:



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Municipal Record.

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MINUTES OF THE PROCEEDINGS

OF THE

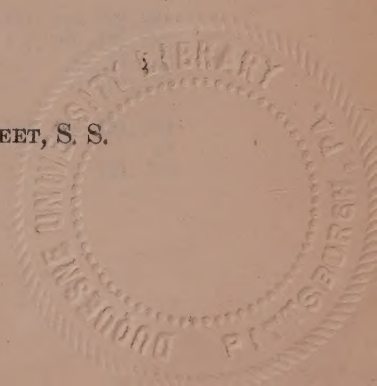
SELECT AND COMMON COUNCILS

OF THE

CITY OF PITTSBURGH,

FOR THE YEAR 1877.

PITTSBURGH:
HERALD PRINTING COMPANY, 1727-29 CARSON STREET, S. S.
1878.



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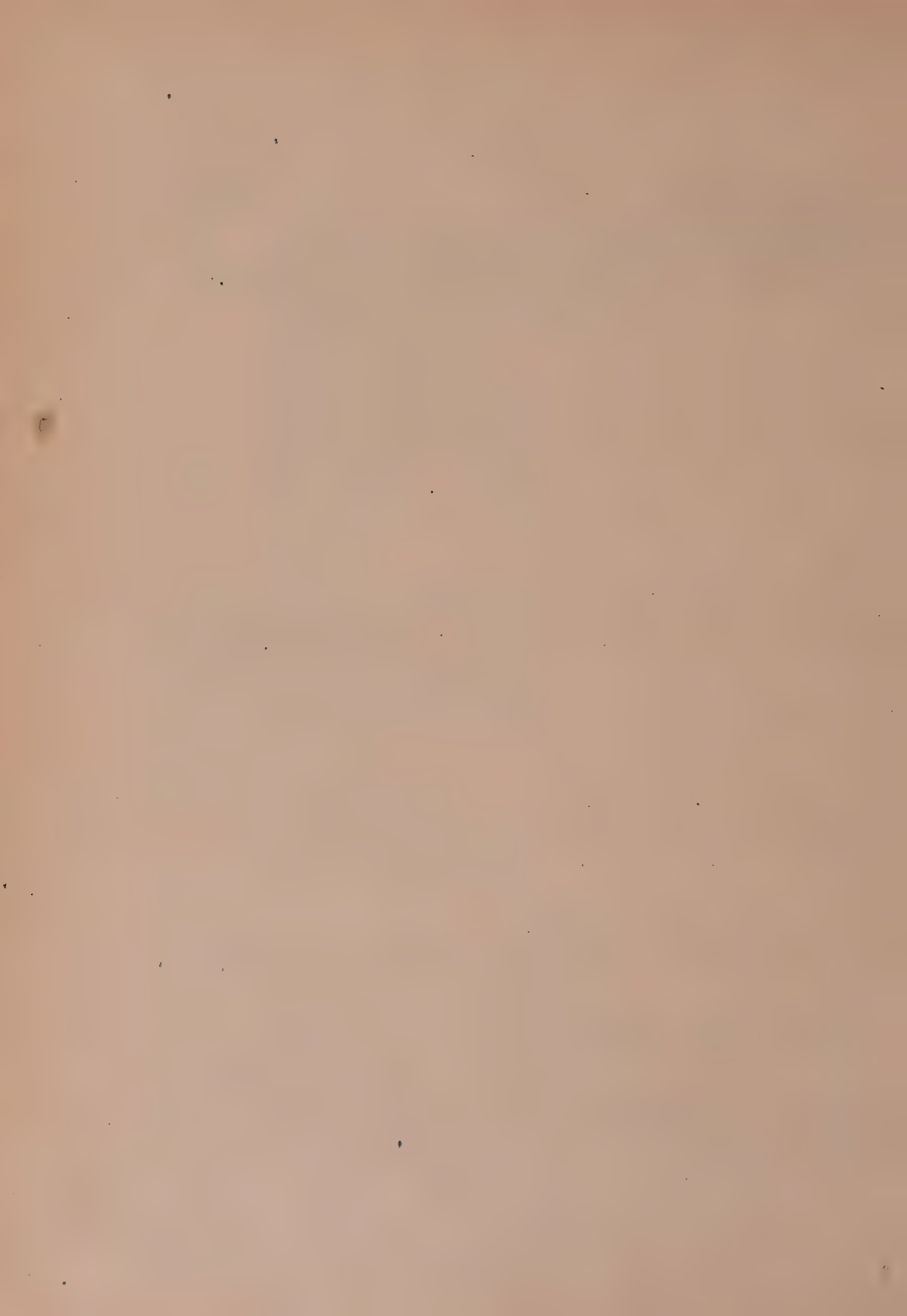
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Municipal Record.

Proceedings of Select and Common Councils of the City of Pittsburgh.

VOL. 10.

MONDAY, JANUARY 8, 1877.

No. 1.

Municipal Record.

SIXTY-SECOND COUNCIL.

SELECT COUNCIL.

DAVID AIKEN PRESIDENT.
E. S. MORROW CLERK.

On Monday, the eighth day of January, A. D. 1877, at two o'clock in the afternoon, the members and members elect of the Select Council of the City of Pittsburgh convened in the Select Council chamber in said city, agreeably to the Act of Incorporation and the supplements thereto.

And there being a quorum present, the convention was called to order by E. S. Morrow, City Clerk, who proceeded to read a certificate from B. F. Kennedy, Prothonotary of the Courts of Common Pleas, Nos. 1 and 2, in and for the county of Allegheny, certifying that at an election held February 15th, 1876, the following named persons were duly elected as members of Select Council for the City of Pittsburgh, from the Wards of the said City of Pittsburgh, as stated, as appears by certificates of result filed in the Prothonotary's office by the Judges of the Courts of Common Pleas aforesaid, in pursuance of the Act of Assembly in such cases made and provided.

And whereby it appeared that the following named persons had been duly elected members of said Council:

For the 1st Ward	F. Schild.
" 2d	Reese Owens.
" 3d	John Shipton.
" 4th	W. A. Herron.
" 5th	W. J. Burns.
" 6th	H. F. Dannals.
" 7th	W. S. Foster.
" 8th	Jno. S. Lambie.
" 9th	James Boyd.
" 10th	Jacob Ahl.
" 11th	Samuel Barckley.
" 12th	A. Griffith.
" 13th	J. M. Sterling.
" 14th	W. J. Fullerton.
" 15th	Jno. H. Sawyer.
" 16th	Robert Watson.
" 17th	W. T. Taylor.
" 18th	N. P. Sawyer.
" 19th	John G. MacConnell.
" 20th	John R. Baum.
" 21st	James Littell.
" 22d	J. M. Hoeh.
" 23d	C. Evans.
" 24th	J. S. Atkinson.
" 25th	J. W. Patterson.

For the 26th Ward ..	John Bradley.
" 27th ..	P. M. Carr.
" 28th ..	James Kerr.
" 29th ..	Thomas Miller.
" 30th ..	W. H. Nantker, Jr.
" 31st ..	W. W. Nisbett.
" 32d ..	George Noble.
" 33d ..	John Kelly.
" 34th ..	J. D. Buckley.
" 35th ..	Robert Grey.
" 36th ..	Michael Rodgers.

Which said certificate was then and there unanimously approved.

Whereupon Council proceeded to an election for President thereof

And Mr. **Kerr** nominated

David Aiken.

And Mr. **Barckley** nominated

J. G. McCandless.

And the result of the voting was as follows:

For David Aiken—Messrs. Ahl, Atkinson, Baum, Bruce, Burns, Carr, Darlington, Evans, Fox, Gourley, Griffith, Hoeh, Holliday, Kelly, Kernan, Kerr, Lappan, McCandless, MacConnell, McClurg, McKinley, Nantker, Negley, Nisbett, Noble, O'Neill (E. M.), Owens, Patterson, Powers, Reiman, Rodgers, Rolfe, Sawyer (Jno. H.), Shipton, Taylor, Watson, Welsh.

For J. G. McCandless—Messrs. Aiken, Barckley, Boyd, Bradley, Brown (L. T.), Foster (W. S.), Fullerton, Herron, Lagerman, Lambie, Littell, Meyer, Schwarm, Sorg, Sterling.

And David Aiken received thirty-seven votes.

And J. G. McCandless received fifteen votes.

And David Aiken was declared duly elected President of Select Council for the ensuing year.

The Clerk appointed Messrs. McCandless and Kerr, a committee to escort the President elect to the Chair.

Which was done.

And the President elect took the oath of office, which was administered to him by Mr. McCandless, the member designated for that purpose by the Clerk.

And the President having taken the Chair, administered the oath of office to the members elect, with the exception of Messrs. Robt. Grey, N. P. Sawyer, Fred. Schild, who were not present.

And the roll being called, there were:

Present—Messrs. Ahl, Aiken, Atkinson, Barckley, Baum, Boyd, Bradley, Brown (L. T.), Bruce, Buckley, Burns, Carr, Dannals, Darlington, Duff, Evans, Felker, Foster (A. W., Jr.), Foster (W. S.), Fox, Fullerton, Gourley, Griffith, Herron, Hoeh, Holliday, Kelly, Kennedy, Kernan, Kerr, Lagerman, Lambie, Lappan, Littell, Meyer, Miller, Moore, McCandless, MacConnell, McClurg, McKinley, Nantker, Negley, Nisbett, Noble, O'Neill (E. M.), Owens, Patterson, Powers, Reiman, Rodgers, Rolfe, Sawyer, Schwarm, Shipton, Sorg, Sterling, Taylor, Watson, Welsh.

Thereupon the Clerk was directed to notify Common Council of the organization of this Council.

Which was done.

The Clerk of Common Council being introduced,

announced the organization of that branch, by the election of Mr. W. B. Negley as President.

The **President** appointed Chas. W. Houston and Willie H. Sims, Pages of Select Council.

Mr. **Bruce** moved

That Council adopt for its government, the rules of the Council of 1876.

Which motion prevailed.

Mr. **Shipton** presented

[1] An Ordinance fixing the price to be paid by the city to the East End Gas Company, for gas furnished to and consumed by said city.

Which was referred to the Committee on Gas Lighting.

The **President**,

[2] The following message from the Mayor, returning to Councils, without his signature,

[C. C. bill No. 423] "An Ordinance authorizing the Road Committee to enter into a contract with the Pittsburgh Gas Company, and directing the change of grade therein provided for."

Office of the Mayor of Pittsburgh, }
Pittsburgh, Pa., January 8, 1877. }

To the President and Members of Select Council:

Gentlemen—I herewith return to your honorable body, without my approval, an Ordinance entitled, "An Ordinance authorizing the Road Committee to contract with the Pittsburgh Gas Company, and directing the change of grade therein provided for."

The power of Councils in respect to the control of streets are held in trust for the public benefit and cannot be surrendered or delegated by contract to a private corporation, as this contract does to the Pittsburgh Gas Company, in the matter of the grade of a portion of Second avenue.

Yours respectfully,

WM. C. McCARTHY, Mayor.

Which was read and received.

Whereupon Council, agreeably to law, proceeded to the reconsideration of the bill referred to in the message, entitled "An Ordinance authorizing the Road Committee to enter into a contract with the Pittsburgh Gas Company, and directing the change of grade therein provided for."

Mr. **Powers** moved

That the bill be referred to the City Attorney for an opinion.

Which motion prevailed.

And the bill was so referred.

Also,

[3] The following message from the Mayor, returning to Councils, without his signature, S. C. bill No. 562, entitled, "An Ordinance fixing the salary of the Message Clerk of Councils."

Office of the Mayor of Pittsburgh, }
Pittsburgh, Pa., January 8, 1877. }

To the President and Members of Select Council:

Gentlemen—I herewith return to your honorable body Ordinance No. 562, without my approval, as on its face it creates a new office, with a salary of \$500.

Yours respectfully,

WM. C. McCARTHY, Mayor.

Which was read and accepted.

Whereupon Council, agreeably to law, proceeded to the reconsideration of the bill referred to in the message entitled, "An Ordinance fixing the salary of the Message Clerk of Councils."

Mr. **Powers** moved

To postpone action for the present.

On which motion a division was had, and there were thirty-five ayes and twelve noes.

So the motion prevailed.

Also,

[4] The following message from the Mayor, returning to Councils, without his signature, S. C. bill No. 458, entitled, "An Ordinance authorizing the assessment of damages and benefits caused by the grading of Sarah street, from Thirtieth street to the city line.

Office of the Mayor of Pittsburgh, }
Pittsburgh, Pa., Jan. 8, 1877. }

To the President and Members of Select Council:

Gentlemen:—I herewith return to your honorable body Ordinance No. 458, without my approval, for the reason that it directs the Board of Viewers to proceed to assess the damages and benefits caused by the grading of Sarah street, from Thirtieth street to city line, when in fact the grading has not been done by reason of its having been stopped by an injunction issued by Common Pleas Court No. 1, April 14, 1875, which injunction remains at this time in full force and effect, the proceedings having been certified into the Common Pleas Court for jury trial.

Yours respectfully,

WM. C. McCARTHY, Mayor.

Which was read and accepted.

Whereupon Council proceeded to the reconsideration of the bill referred to in the message, entitled, "An Ordinance authorizing the assessment of damages and benefits caused by the grading of Sarah street, from Thirtieth street to the city line."

Mr. **Littell** moved

The indefinite postponement of action on the bill.

Which motion prevailed.

Mr. **MacConnell** presented

[5] An Ordinance authorizing the opening of Wayne street, from Stanton avenue to Hampton street.

Which was referred to the Board of Viewers of Street Improvements

Mr. **Carr**, the following:

[6] Resolved, That the seat of John Stouff, member of Select Council for the 29th ward, be declared vacant on account of non-residence in the ward.

Which was read.

And the rule having been suspended, the resolution was read a second time.

Mr. **Powers** moved

To amend, by inserting the name of N. P. Sawyer, member of Select Council from the 18th ward.

Which motion prevailed.

And the resolution was so amended.

And, as amended, was read a third time and finally passed.

Mr. **E. M. O'Neill**, the following:

[7] Whereas, Common Council, on June 29, of last year, adopted the following:

Resolved, That the Water Committee report to Councils the present status of the work under their charge, and also the least possible amount needed to get the new works in operation as well as the amount of penalties incurred by the contractors for delay; and,

Resolved, further, That the Committee and the City Solicitor be requested to report what is still necessary to secure to the city such penalties as have already accumulated or may be hereafter incurred by delay on the part of contractors—said resolutions being concurred in by Select Council—but notwithstanding which no such report was ever made, and

Whereas, It is stated that the Water Committee either has, since the passage of the above, approved or is about to approve certain estimates for contractors for said works, and order warrants for the same; therefore be it

Resolved, That the Committee be hereby instructed to approve no further estimates until the facts above stated be reported to these Councils, showing whether or not the contractors are in arrears to the city; and that if any such estimate has lately been given the Mayor and Controller be requested to withhold their signatures from the warrants until the report is made.

Which were read.

And the rule having been suspended, the resolution was read a second time and agreed to.

And the preambles were read a second time and agreed to.

And the rule having been suspended,

On motion of Mr. O'Neill (E. M.), the resolution and preambles were read a third time and finally passed.

And, on motion, Council adjourned.

COMMON COUNCIL.

W. B. NEGLEY.....PRESIDENT.
GEORGE BOOTH.....CLERK.

On Monday, the eighth day of January, A. D. 1877, at two o'clock in the afternoon, the members elect of Common Council of the City of Pittsburgh convened in the Common Council chamber in said city, agreeably to the Act of Incorporation and supplements thereto.

And there being a quorum present, the convention was called to order by George Booth, Assistant City Clerk, who proceeded to read a certificate from B. F. Kennedy, Prothonotary of the Courts of Common Pleas, Nos. 1 and 2, in and for the county of Allegheny, certifying that at an election held February 15th, 1876, the following named persons were duly elected as members of Common Council for the City of Pittsburgh, from the wards of the said City of Pittsburgh, as stated, as appears by certificates of result filed in the Prothonotary's Office by the Judges of the Courts of Common Pleas aforesaid, in pursuance of the Act of Assembly in such cases made and provided.

And whereby it appeared that the following named persons had been duly elected members of said Council:

From the 1st Ward.....	Philip Higgins.
" 2d ".....	B. Gallisath.
" 3d ".....	John N. Neeb.
" 4th ".....	W. W. Thomson.
" 5th ".....	Daniel Egan.
" 6th ".....	Chas. Manning.
" ".....	Thomas Walker.
" 7th ".....	Geo. Wamhoff.
" 8th ".....	Marshall Johnston.
" ".....	Henry Rea, Jr.
" 9th ".....	Patrick Hanlon.
" 10th ".....	F. H. Weisser.
" 11th ".....	Henry Voskamp.
" 12th ".....	Malachy O'Donnell.
" ".....	Albert Schuman.
" 13th ".....	Samuel Belfore.
" 14th ".....	W. S. Pier.
" ".....	Jacob Kinzer.
" 15th ".....	Edward Frauenheim.
" 16th ".....	W. J. Fennerty.
" ".....	G. H. Blume.
" 17th ".....	J. G. Wainwright.
" ".....	James W. Campbell.
" 18th ".....	Neil C. McCafferty.
" 19th ".....	R. M. McClarran.
" 20th ".....	W. H. Negley.
" 21st ".....	W. F. Aull.
" 22d ".....	Newton McClarran.
" 23d ".....	Frank Kohne.
" 24th ".....	Robert Young.
" 25th ".....	G. G. Rahausen.
" 26th ".....	Chas. Schwarm.
" ".....	J. W. Kemler.

For the 27th Ward.....	Frank S. Hogle.
" 28th ".....	Wm. M. Kirchner.
" 29th ".....	Nicholas Miller.
" 30th ".....	Henry Nantker.
" 31st ".....	John Forsythe.
" 32d ".....	C. A. Boucher.
" 33d ".....	Wm. Gallagher.
" 34th ".....	Patrick Foley.
" 35th ".....	Fred. Dierst.
" 36th ".....	S. H. French.

Which said certificate was then and there unanimously approved.

Whereupon Council proceeded to an election for President thereof.

Mr. Neeb nominated

Wm. B. Negley,

Which was seconded by Mr. Fennerty, and the result of the voting was as follows:

For Wm. B. Negley:

Messrs. Aull, Belfore, Boucher, Blume, Dierst, Egan, Forsythe, Frauenheim, French, Fennerty, Foley, Gallisath, Gallagher, Higgins, Hanlon, Hogle, Johnston, Kinzer, Kemler, Kirchner, Kohne, Miller, Manning, McClarran (R. M.), McClarran (Newton), McCafferty, Nantker, Neeb, O'Donnell, Pier, Rahausen, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Weisser, Young.

And Mr. Wm. B. Negley having received a majority of the votes of Common Council, was elected President thereof, and took the oath of office, which was administered to him by Mr. Aull, the member designated for that purpose by the Clerk.

And the President having taken the Chair administered the oath of office to the members elect, with the exception of Mr. J. W. Campbell, who was not present.

And the roll being called, there were:

Present—Messrs. Aull, Belfore, Boucher, Blume, Dierst, Egan, Forsythe, Frauenheim, French, Fennerty, Foley, Gallisath, Gallagher, Higgins, Hanlon, Hogle, Johnston, Kinzer, Kemler, Kirchner, Kohne, Miller, Manning, McClarran (R. M.), McClarran (Newton), McCafferty, Nantker, Neeb, O'Donnell, Pier, Rahausen, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Weisser, Young, President Negley

And thereupon the Clerk was directed to inform Select Council of the organization of this Council.

Which was done.

And the Clerk of Select Council being introduced, announced the organization of that body by the election of Mr. David Aiken as President thereof.

The President appointed Chas. W. Seanor, Page of Common Council.

Mr. Neeb moved

That the rules for the government of the Council of 1876, be adopted as the rules for the government of this Council.

Which motion prevailed.

Mr. Boucher presented the following:

[No. 1.] *To the Honorable, the President and Members of Common Council, City of Pittsburgh:*

In view of a prolonged business absence from the city, and the consequent inability to be present to faithfully attend to the interests of the ward I represent, I would hereby tender my resignation as a member of your honorable body from the 32d ward, and respectfully ask its acceptance.

C. A. BOUCHER.

Pittsburgh, January 8th, 1877.

Which was read, received and accepted.

Adjourned.

Municipal Record.

Proceedings of Select and Common Councils of the City of Pittsburgh.

VOL. 10.

MONDAY, JANUARY 29, 1877.

No. 2.

Municipal Record.

SELECT COUNCIL.

DAVID AIKEN.....PRESIDENT.
E. S. MORROW.....CLERK.

PITTSBURGH, JANUARY 29, 1877.

Council met.

Present—Messrs. Ahl, Atkinson, Barckley, Baum, Boyd, Bradley, Brown (L. T.), Bruce, Buckley, Burns, Carr, Dannals, Darlington, Duff, Evans, Foster (Alex. W., Jr.), Foster (W. S.), Fox, Fullerton, Gourley, Griffith, Herron, Hoeh, Holliday, Hunter, Kelly, Kennedy, Kernan, Kerr, Lagerman, Lambie, Lappan, Littell, Meyer, Moore, McCandless, McClurg, McKinley, Negley, Nisbett, Noble, Nusser, O'Neill (Eugene M.), Patterson, Powers, Reiman, Rodgers, Sawyer, Schild, Schwarm, Shipton, Sorg, Sterling, Taylor, Vierheller, Watson, Welsh, Aiken, President.

Absent—Messrs. Brown (Sam'l S.), Felker, Gray, Miller, MacConnell, Nantker, O'Neil (John), Owens, Rolfe.

The minutes of the last meeting were read and approved.

The Clerk of Common Council being introduced, announced that that body was ready to meet Select Council in joint session for the purpose of electing three persons to be members of the Board of Health, in accordance with the seventeenth section of an Act of Assembly, approved 8th April, 1852.

Whereupon, on motion of Mr. McCandless Select Council proceeded to the Common Council chamber for that purpose.

And being so met in joint session,

Mr. Hunter presented,

A communication from the Board of Health announcing the expiration of the official terms of Jared M. Brush, Dr. T. P. Graham, and George W. Backofen, as members of said Board.

Which was read and accepted.

Whereupon Council proceeded to said election.

And Mr. Ahl nominated W. W. Logan.

Mr. Watson nominated Jared M. Brush.

Mr. Vierheller nominated T. P. Graham.

Mr. Hoeh nominated Geo. W. Backofen.

And the result of the voting was as follows:

For W. W. Logan.

Messrs. Ahl, Atkinson, Barckley, Baum, Boyd, Bradley, Brown (L. T.), Bruce, Burns, Carr, Dannals, Evans, Foster (W. S.), Gourley, Griffith, Herron, Holliday, Hunter, Kennedy, Kernan, Kerr, Lager-

man, Lambie, Lappan, Littell, Meyer, Moore, McCandless, McClurg, McKinley, Negley, Nisbett, Noble, Nusser, O'Neill (E. M.) Powers, Rodgers, Schild, Schwarm, Shipton, Sterling, Taylor, Vierheller, Watson, and President Aiken.

For Jared M. Brush.

Messrs. Ahl, Atkinson, Barckley, Baum, Boyd, Bradley, Brown (L. T.), Bruce, Buckley, Burns, Carr, Dannals, Evans, Foster (A. W.), Foster (W. S.), Fullerton, Gourley, Herron, Hoeh, Holliday, Kelly, Kennedy, Kernan, Lagerman, Lambie, Lappan, Littell, Meyer, Moore, McCandless, McClurg, McKinley, Negley, Nisbett, Noble, Nusser, O'Neill (E. M.), Reiman, Rodgers, Sawyer, Schild, Schwarm, Shipton, Sorg, Sterling, Taylor, Vierheller, Watson, Welsh, and President Aiken.

For T. P. Graham.

Messrs. Ahl, Atkinson, Barckley, Baum, Boyd, Bradley, Buckley, Brown (L. T.), Evans, Foster (A. W.), Foster (W. S.), Gourley, Griffith, Hoeh, Holliday, Hunter, Kerr, Lambie, Lappan, Littell, Meyer, Moore, McCandless, McKinley, Negley, Nisbett, Noble, O'Neill (E. M.), Reiman, Schild, Sorg, Sterling, Taylor, Vierheller, Welsh, and President Aiken.

For George W. Backofen.

Messrs. Bruce, Buckley, Carr, Dannals, Duff, Foster (A. W.), Fox, Fullerton, Griffith, Herron, Hoeh, Hunter, Kelly, Kennedy, Kerr, Lagerman, McClurg, Nusser, Patterson, Reiman, Sawyer, Schwarm, Shipton, Sorg, Watson, and Welsh.

And W. W. Logan received 75 votes.

Jared M. Brush received 74 votes.

T. P. Graham received 60 votes.

George W. Backofen received 41 votes.

And W. W. Logan, Jared M. Brush and T. P. Graham were declared duly elected members of the Board of Health for the ensuing term.

The Presidents announced the following

Joint Standing Committees for the year 1877.

Committees for 1877.

FINANCE COMMITTEE.

Select Council.

John Shipton,
James Littell,
R. H. Negley,
Wm. McClurg,

James Lappan,
A. W. Foster, Jr.,
Reese Owens,
Wm. A. Herron,
W. W. Nisbett.

Common Council.

W. F. Aull,
S. H. French,
B. Gallisath,
M. Johnston,
N. McClarran,

John N. Neeb,
G. G. Rahausser,
W. W. Thomson,
H. Voskamp,
J. G. Wainwright.

WATER COMMITTEE.

Select Council.

J. G. McCandless,
W. B. Hunter,
E. M. O'Neill,
J. M. Kennedy,
James Boyd,

T. W. Welsh,
W. J. Fullerton,
Robert Watson,
W. T. Taylor,
D. D. Bruce.

Common Council.

P. Foley,
S. H. French,
P. Hanlon,
J. W. Kemler,
F. Kohne,
N. C. McCafferty,

R. M. McClarran,
H. Rea, Jr.,
Charles Schwarm,
J. G. Wainwright,
F. H. Weisser.

STREET COMMITTEE.

Select Council.

J. Ahl,
H. F. Dannals,
H. Darlington,
Wm. McClurg,
W. T. Taylor,
H. I. Gourley,
W. J. Moore,

M. Rodgers.
J. D. Buckley,
F. Schild,
G. S. Holliday,
P. M. Carr,
W. W. Nisbett,
W. J. Burns,
John H. Sawyer, Sr.

Common Council.

W. W. Thomson,
W. J. Aull,
Daniel Egan,
W. J. Fennerty,
Pat. Foley,
E. Fraunheim,
Wm. Gallagher,
Thomas Walker.

P. J. Higgins,
W. M. Kirchner,
N. C. McCafferty,
J. N. Neeb,
H. Rea, Jr.,
H. Voskamp,
S. H. French,
J. G. Wainwright,

POLICE COMMITTEE.

Select Council.

H. Darlington,
J. G. McCandless,
J. S. Atkinson,
Jacob Ahl,
H. D. Rolfe,
George Fox,

S. Barckley,
Thomas Miller,
S. McKinley,
J. O'Neil,
Thomas Kernan,
J. W. Patterson.

Common Council.

John N. Neeb,
Samuel Belfore,
G. H. Blume,
Fred. Dierst,
P. Foley,
P. Hanlon,

F. S. Hogle,
M. Johnston,
H. Nantker,
M. O'Donnell,
Charles Schwarm,
W. W. Thomson,
J. G. Wainwright,

CITY PROPERTY COMMITTEE.

Select Council.

W. B. Hunter,
S. Barckley,
A. L. Reiman,

J. S. Lambie,
H. I. Gourley,
John H. Sorg.
James Lappan,

Common Council.

J. W. Campbell,
W. J. Fennerty,
M. Johnston,
Wm. Kirchner,

J. N. Neeb,
W. S. Pier,
H. Voskamp,
Thos. Walker.

RAILROAD COMMITTEE.

Select Council.

M. M. Felker,
Jacob Nusser,
C. Evans,

Henry Meyer,
John Kelley,
A. W. Foster, Jr.

Common Council.

B. Gallisath,
Wm. Kirchner,
Chas. Manning,

G. G. Rahauser,
Albert Schuman,
Robert Young.

MONONGAHELA WHARF COMMITTEE.

Select Council.

H. D. Rolfe,
A. Griffith,
S. S. Brown,

J. P. Vierheller,
John Bradley,
L. T. Brown.

Common Council.

J. W. Campbell,
Fred Dierst,
S. H. French,

P. Foley,
J. W. Kemler,
N. Miller,
G. Wamhoff.

ALLEGHENY WHARF COMMITTEE.

Select Council.

W. A. Herron,
A. L. Reiman,

Jacob Schwarm,
W. J. Burns,
James Boyd.

Common Council.

Daniel Egan,
W. J. Fennerty,
E. Fraunheim,

John Forsythe,
P. J. Higgins,
32d Ward Councilman.

APPEALS COMMITTEE.

Select Council.

W. J. Fullerton,
J. H. Sawyer, Sr.
W. S. Foster,

Thomas Miller,
P. M. Carr,
George Noble,
H. Lagerman.

Common Council.

Samuel Belfore,
Fred Dierst,
Jacob Kinzer,
N. C. McCafferty,

M. O'Donnell,
F. H. Weisser,
Robert Young,
32d Ward Councilman.

GAS LIGHTING COMMITTEE.

Select Council.

John Shipton,
James Littell,
S. McKinley,

L. T. Brown,
John Bradley,
J. D. Buckley.

Common Council.

G. H. Blume,
Daniel Egan,
John Forsythe,

Frank Kohne,
Charles Manning,
N. McClarran,
R. M. McClarran.

ROAD COMMITTEE.

Select Council.

J. G. MacConnell, John R. Baum,
J. M. Sterling, C. Evans,
J. M. Hoch.

Common Council.

W. F. Aull, Frank Kohne,
Jacob Kinzer, R. M. McClarran,
W. S. Pier.

MARKET COMMITTEE.

Select Council.

W. J. Moore, John O'Neil,
H. F. Dannals, Jacob Schwarm,
J. P. Vierheller, F. Schild,
J. K. P. Duff.

Common Council.

Samuel Belfore, Albert Schuman,
B. Gallisath, Thomas Walker,
M. Johnston, George Wamhoff,
David Kinzer, F. H. Weisser.

CITY PRINTING COMMITTEE.

Select Council.

E. M. O'Neill, John S. Lambie,
W. H. Nantker, Jr., Reese Owens,
John Kelley, A. Griffith.

Common Council.

B. Gallisath, H. Nantker,
J. W. Campbell, W. S. Pier,
Frank Kohne, Charles Schwarm,
George Wamhoff.

CLAIMS AND ACCOUNTS COMMITTEE.

Select Council.

T. W. Welsh, Henry Meyer,
M. Rodgers, J. M. Kennedy,
John H. Sorg, J. K. P. Duff.

Common Council.

Fred. Dierst, W. M. Kirchner,
Daniel Egan, Henry Rea, Jr.,
F. S. Hogle, Robert Young,
32d Ward Councilman.

ORDINANCE COMMITTEE.

Select Council.

James Kerr, Robert Gray,
C. L. Powers, Robert Watson,
J. G. MacConnell, J. M. Sterling.

Common Council.

G. H. Blume, Charles Manning,
E. Fraunheim, N. Miller,
J. W. Kemler, H. Nantker,
W. W. Thomson.

SURVEY COMMITTEE.

Select Council.

R. H. Negley, J. R. Baum,
J. S. Atkinson, C. L. Powers,
J. M. Hoch, George Fox,
S. S. Brown.

Common Council.

W. F. Aull, Chas. Manning,
John Forsythe, N. C. McCafferty,
S. H. French, N. McClarran,
Wm. Gallagher, Albert Schuman.

RETRENCHMENT AND REFORM COMMITTEE.

Select Council.

Robert Gray, J. W. Patterson,
W. H. Nantker, Jr., W. S. Foster,
H. Lagerman.

Common Council.

George Wamhoff, P. Higgins,
Wm. Gallagher, H. Nantker,
P. Hanlon, W. S. Pier.

BRIDGE COMMITTEE.

Select Council.

G. S. Holliday, Thomas Kernan.

Common Council.

John Forsythe, E. Fraunheim,
F. S. Hogle.

WOODEN BUILDINGS COMMITTEE.

Select Council.

George Noble, Jacob Nusser,
M. M. Felker.

Common Council.

P. J. Higgins, N. Miller,
F. S. Hogle, M. O'Donnell.

LEGISLATIVE COMMITTEE.

Select Council.

James Kerr, D. D. Bruce.

Common Council.

Jacob Kinzer, R. M. McClarran,
G. G. Rahauer.

President Aiken,

A communication from the Controller, covering the bids of the several banks, banking institutions and banking companies, for the custody of the public moneys or funds of the city, for the ensuing year.

Which was read and accepted.

And the bids being opened were as follows :
Smithfield National Bank bid two per cent.
United States Bank bid two per cent.

Pittsburgh Savings Bank bid two and one-half per cent.

Whereupon Councils proceeded to choose, elect and designate three banks or banking institutions to be depositaries and custodians of the public moneys or funds of said city for the ensuing year.

And the result of the voting was as follows:

For the Smithfield National Bank.

Messrs. Ahl, Atkinson, Barclay, Boyd, Bradley, Brown (L. T.), Bruce, Burns, Dannals, Darlington, Foster (Alex. W., Jr.), Foster (W. S.), Fullerton, Gourley, Griffith, Herron, Holliday, Hunter, Kennedy, Lambie, Littell, Meyer, Moore, McCandless, McClurg, McKinley, Negley, Noble, Nusser, O'Neill (E. M.), Rodgers, Rolfe, Schild, Shipton, Taylor, Vielheller, Watson, Welsh, President Aiken.

For the Pittsburgh Savings Bank.

Messrs. Ahl, Atkinson, Barclay, Boyd, Bradley, Brown (L. T.), Bruce, Burns, Dannals, Darlington, Foster (Alex. W., Jr.), Foster (W. S.), Fullerton, Gourley, Griffith, Herron, Holliday, Hunter, Kennedy, Lambie, Littell, Meyer, Moore, McCandless, McClurg, McKinley, Negley, Noble, Nusser, O'Neill (E. M.), Rodgers, Rolfe, Schild, Shipton, Taylor, Vielheller, Watson, Welsh, President Aiken.

For the United States Bank.

Messrs. Ahl, Atkinson, Barclay, Boyd, Bradley, Brown (L. T.), Bruce, Burns, Dannals, Darlington, Foster (Alex. W., Jr.), Foster (W. S.), Fullerton, Gourley, Griffith, Herron, Holliday, Hunter, Kennedy, Lambie, Littell, Meyer, Moore, McCandless, McClurg, McKinley, Negley, Noble, Nusser, O'Neill (E. M.), Rodgers, Rolfe, Schild, Shipton, Taylor, Vielheller, Watson, Welsh, President Aiken.

The following members declined to vote:

Messrs. Buckley, Duff, Evans, Fox, Hoeh, Kerr, Nisbett, Patterson, Powers, Reiman, Sawyer, Schwarm, Sorg, Sterling.—14.

And the Smithfield National Bank received 52 votes.

The United States Bank received 52 votes.

The Pittsburgh Savings Bank received 52 votes.

And there being no election,

On motion, the joint session adjourned.

And Select Council returned to its own chamber.

The **President** presented,

[8.] Report of the Board of Assessors of the city valuations, so far as ascertained, for the year 1877, as follows:

Report of the Board.

OFFICE OF BOARD OF ASSESSORS. }

PITTSBURGH, January 29, 1877. }

To the Honorable, the Presidents and Members of the Select and Common Councils:

GENTLEMEN; Under an Act of Assembly, entitled "An Act providing for the classification of real estate for purposes of taxation and appointment of assessors in cities of the second class," approved May 5, 1876, this Board is required to report to you an aggregate valuation in three classes, in the month of January, taking as a basis of such assessments the assessments as returned by the several ward Assessors to the County Commissioners, a copy of which is to be furnished by said Commissioners to this Board.

The intention of this Act was to give your honorable bodies a sure, safe and complete basis on which to levy taxes for the current year, thereby greatly benefiting both the city and the taxpayers.

Unfortunately, the Act failed to set any definite time for the County Commissioners to furnish said copy of assessments, and their failure to do so in time has rendered it impossible for the Board to present a full report at this date. We herewith present a statement of our revision of the wards for which assessments have been furnished in time for this report.

The Board has examined the property in the wards, the assessments of which have not been furnished, and are prepared to revise such assessments in a very short time after their delivery by the Commissioners. After this revision is completed, the Board, under the afore-

said Act, will have to sit as a Board of Appeals, and hear and determine all appeals from said assessments as revised.

If the balance of the ward assessors' assessments are delivered promptly, the Board feels confident of being able to furnish your honorable bodies with a complete assessment in time to make your annual levy, as required by law, in February.

Respectfully submitted.

THOMAS H. PHELPS,
Chief Assessor.
JAMES J. LARKIN,
DANIEL WENKE,
Assistant Assessors.

City Valuation, 1877.

WARDS.	Occupations.	Personal Property.	REAL ESTATE.		
			Full Rate.	Rural Rate.	Agricultural Rate.
1st.....	.....	.....	.....	.....	.....
2d.....	.....	.....	.....	.....	.....
3d.....	203,170	212,525	8,348,250	.....	.....
4th.....	299,866	141,605	5,923,591	.....	.....
5th.....	.....	.....	.....	.....	.....
6th.....	351,070	144,199	2,864,567	.....	.....
7th.....	299,466	33,375	1,951,279	.....	.....
8th.....	228,225	30,070	2,157,605	.....	.....
9th.....	198,266	164,350	2,386,515	.....	.....
10th.....	94,266	232,670	1,474,105	.....	.....
11th.....	.....	.....	.....	.....	.....
12th-1 p.....	.....	.....	.....	.....	.....
12th-2 p.....	.....	.....	.....	.....	.....
13th.....	.....	.....	.....	.....	.....
14th.....	.....	.....	.....	.....	.....
15th.....	172,566	56,675	2,499,248	.....	.....
16th.....	170,095	43,622	3,084,899	.....	.....
17th.....	332,850	48,806	4,037,341	.....	.....
18th.....	69,739	50,410	1,007,266	1,216,972	887,678
19th.....	195,755	85,611	1,742,366	3,261,115	686,338
20th.....	153,115	167,145	894,479	5,985,006	.....
21st-1 p.....	.....	.....	.....	.....	.....
21st-2 p.....	.....	.....	.....	.....	.....
22d.....	123,470	134,103	3,236,331	.....	3,110,351
23d.....	114,290	45,075	887,151	2,102,053	82,610
24th.....	140,000	14,585	1,144,091	105,700	87,100
25th.....	198,610	38,797	2,360,238	.....	.....
26th.....	249,670	26,525	2,148,790	.....	.....
27th.....	.....	.....	.....	.....	.....
28th.....	180,950	19,500	1,481,701	.....	.....
29th.....	153,070	21,000	1,584,750	.....	.....
30th.....	131,010	36,530	1,397,914	.....	.....
31st.....	56,040	4,685	219,973	468,847	.....
32d.....	.....	.....	.....	.....	.....
33d.....	56,130	164,150	927,215	.....	.....
34th.....	80,820	9,200	1,090,274	.....	.....
35th.....	48,950	13,846	.....	553,843	178,188
36th.....	128,420	19,560	813,938	.....	.....

Mr. Herron,

[9.] Petition of Theresa Knake for exoneration of business tax assessed against Knake & Co. Which was referred to the Finance Committee.

Also,

[10.] Petition asking for the repeal of the Ordinance authorizing the opening of Exchange alley, between Barker's alley and Seventh street.

Which was referred to the Street Committee.

Mr. Dannals,

[11.] Petition of Frank Reiter for refunding of overpaid tax.

Which was referred to the Committee on Appeals.

Also, [12.] Petition for the erection of a public gas lamp on Forbes street, between Marion and Pride streets.

Which was referred to the Committee on Gas Lighting.

Mr. McCandless.

[13.] An Ordinance changing the grade of Second avenue, between Murphy street and a point 1603 feet east of the east curb of Murphy street.

Also,

[14.] An Ordinance, authorizing the Pittsburgh Gas Company to regrade, repave and recurb Second avenue to conform to a change of grade on said avenue, as authorized by an Ordinance passed the day of _____, 1877.

Which were referred to the Road Committee.

Mr. Powers.

[15.] A petition for the purchase by the city of that portion of "Washington Turnpike" lying within the City limits.

Which was referred to the Street Committee.

Also, the following:

[16.] Whereas, Councils have directed the payment out of appropriation No. 13, contingent fund, of \$1,265.00 to Thos. S. Bigelow, City Attorney, on account of damages to property of William McAdams, by grade of Madison street, and \$115.64 to Insurance Companies, on account of overpaid taxes.

And whereas, the said contingent fund is exhausted: Therefore:

Resolved, That the City Controller be and he is hereby authorized and directed to issue his certificate on the Mayor for said amounts and charge the same to appropriation No. 39.

Which were read.

And the rule being suspended the resolution was read a second time and agreed to.

And the preambles were read a second time and agreed to.

And the rule being suspended the preambles and resolution were read a third time and finally passed.

Mr. Watson.

[17.] A resolution authorizing the erection of a public lamp post on the corner of John street and Woollslayers alley.

Also,

[18.] A resolution authorizing the erection of a public gas lamp at the corner of Fountain and Washington streets.

Which were referred to the Committee on Gas Lighting.

Mr. Negley.

[19.] Petition of Mary McGrew for refunding of overpaid taxes.

Which was referred to the Committee on Appeals.

The President presented,

[20.] Petition for a change of location of Eveline street between Penn avenue and Liberty avenue.

Which was referred to the Survey Committee.

Mr. Littell.

[21.] An Ordinance amending section six, of an Ordinance entitled, "An Ordinance to provide for the safe keeping and custody of the funds of the city, passed 7th February, 1870."

Which was referred to the Finance Committee.

Also,

[22.] An Ordinance prescribing the duties and fixing the salary of the Message Clerk of Councils.

Which was referred to the Ordinance Committee.

Also, the following:

[23.] Resolved, That hereafter all appeals for the refunding of overpaid taxes shall be referred to the Board of Assessors for action.

Which was read and laid over under the rule.

Also, the following:

[24.] Resolved, That the City Attorney, Controller, Clerks of Councils and Finance Committee, be appointed a committee to investigate the subject of

procuring a new compilation or digest of the laws and Ordinances governing our Municipality, with probable cost, and who will be proper persons to undertake its accomplishment, all of which shall be reported to these Councils.

Which was read and passed.

Mr. Patterson.

[25.] Petition of A Parslowe for exoneration from payment of certain taxes.

Which was referred to the Committee on Appeals.

Mr. Kerr, the following:

[26.] Resolved, That the Representatives from this District in the General Assembly be and they are hereby requested to oppose the passage of the bill now before the Senate, in relation to the collection of taxes, in its present shape, and that the bill be so amended as to provide that the first payment shall be made in April, and the second in July.

Which was referred to the Committee on Legislation.

Also,

[27.] An Ordinance creating a Board of Estimate for the Health Department of the City of Pittsburgh.

Which was referred to the Ordinance Committee.

Mr. Kennedy.

[28.] Petition for the erection of a public gas lamp on the corner of Pride and Bluff streets.

Which was referred to the Committee on Gas Lighting.

Council proceeded to the consideration of

[S. C. No. 23.] Resolved, That hereafter all appeals for the refunding of overpaid taxes shall be referred to the Board of Assessors for action.

This day read once.

And the rule was suspended to allow the third reading and final passage of the resolution.

And the resolution was read a second time.

Mr. Sawyer moved,

To lay the resolution on the table.

Which motion was decided in the negative.

And the resolution was read a third time and finally passed.

Mr. Duff, the following:

[29.] Resolved, That a select committee of seven be appointed, three from Select and four from Common Council, to enquire and report to Councils what moneys or securities are in the various sinking funds of the city of Pittsburgh, and what securities, if any there be in said sinking funds, consists of, and whether or not the various Acts of Assembly and Ordinances under which said sinking funds were authorized and established, have been fully complied with.

Which, the rule being suspended, was read a third time and finally passed.

The President,

[30.] The Annual Report of the Board of Fire Commissioners.

Which was read, accepted and three hundred copies ordered to be printed for distribution.

Mr. Shipton, the following papers:

[31.] An Ordinance making appropriations for the year 1877.

[32.] An Ordinance authorizing the City Controller to pay any portion of matured temporary loans out of the Municipal Sinking Fund.

[33.] An Ordinance authorizing the refunding to F. Eggers, the sum of \$29 63, paid on account of an erroneous assessment for the grading and paving of Pearl street.

Which were referred to the Finance Committee.

Mr. Bruce.

[34.] Preliminary report from the Board of Viewers on S. C. bill No. 5. An Ordinance authorizing the opening of Wayne street, from Stanton avenue to Hampton street.

Which was read and received.

[S. C. bill No. 5.] An Ordinance entitled "An Ordinance, authorizing the opening of Wayne street, from Stanton avenue to Hampton street."

Which was referred to the Road Committee.
Also,

[35.] A communication from the Board of Viewers, returning to Councils S. C. No. 339. (1876.) Resolution for warrants in payment of damages caused by the grading of Sylvan avenue, with information that the final report of the damages caused by the grading of said avenue, had been approved Nov. 29, 1875, in which it was stated that no property benefited could be found upon which to assess the damages; that it is not in the power of the Board to make another assessment.

Which was read and received.

[S. C. No. 339.] Resolved, That the City Controller shall be, and he is hereby authorized and directed to issue his certificate for a warrant in favor of John Parkinson for \$250. Also, one for B. McTiernan for \$500. Also, one for E. Wormser for \$400, and charge the same to the Contingent Fund. Said sums of money being due said parties for damages by the grading of Sylvan avenue, and for the payment of which the Board of City Viewers reported that they were unable to find benefits.

Which was read.

And the rule having been suspended, the resolution was read a third time and finally passed.

The **President** presented.

[36.] To THE SELECT COUNCIL—Gentlemen: The assessment for the opening of School alley was referred to me some time since by your Council. It is herewith returned, with the suggestion that it should be approved. I am unable to discover any good reason why it should not be approved.

Respectfully,

THOS. S. BIGELOW,
City Attorney.

Which was read and accepted.

[37.] Report of the Board of Viewers on the damages caused by the opening of School alley, from Davidson street to Sherman street.

Which was read and approved.

And on motion Council adjourned.

COMMON COUNCIL.

W. B. NEGLEY.....PRESIDENT.
GEORGE BOOTH.....CLERK.

PITTSBURGH, January 29, 1877.

Council met.

Present—Messrs. Aull, Belfore, Blume, Campbell, Dierst, Forsythe, Frauenheim, French, Fennerty, Foley, Gallisath, Gallagher, Higgins, Hanlon, Hoels, Johnston, Kinzer, Kemler, Kirchner, Kohne, Miller, Manning, McClarran (R. M.), McClarran (Newton), McCafferty, Nantker, Neeb, O'Donnell, Fier, Rahausser, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Weissner, Young, Negley.

Absent—Mr. Egan.

Mr. **Neeb** moved

That the reading of the minutes of the previous meeting be dispensed with.

Which motion prevailed.

Mr. **Neeb** presented

[No. 2.] An Ordinance vacating Hill street, from Brownsville avenue to Bailey's line.

Which was referred to the Committee on Streets.

Mr. **Fennerty** presented

[No. 3.] Appeal of Patrick Mooney for exoneration of taxes.

Referred to Committee on Appeals.

Also,

[No. 4.] Petition of Jacob Soffell, for refunding overpaid tax.

Referred to Committee on Appeals.

Mr. **Thomson** presented

[No. 5.] Resolution for a warrant in favor of John O'Keefe, assignee of Henry A. Freyvogel.

Referred to Committee on Streets.

Also,

[No. 6.] Petition for a public gas lamp on Breckinridge avenue.

Referred to Committee on Gas Lighting.

Also,

[No. 7.] An Ordinance authorizing the opening of Centre avenue, from Neville street to Liberty avenue.

Referred to Committee on Roads.

Also,

[No. 8.] An Ordinance authorizing the opening of Reservoir avenue, from River avenue to Hiland avenue reservoir.

Referred to Committee on Roads.

Also,

[No. 9.] An Ordinance authorizing the assessment of the cost of construction of a bridge over Negley's run, on line of Lincoln avenue.

Referred to Committee on Roads.

Also,

[No. 10.] An Ordinance authorizing the assessment of the cost of construction of a bridge over Boundary street, on the line of Forbes street.

Referred to Committee on Roads.

Also,

[No. 11.] An Ordinance authorizing the opening of Woodville avenue extension, from Washington pike to Shalersville, 35th ward.

Referred to Committee on Streets.

Also,

[No. 12.] An Ordinance authorizing the opening of Forty-seventh street, from the south side of the A. V. R. R. to the north side of the A. V. R. R.

Referred to Committee on Streets.

Also,

[No. 13.] An Ordinance authorizing the assessment of the damages and benefits caused by the grading of Locust street, from Shingiss street to Miltenberger street.

Referred to Committee on Streets.

Also,

[No. 14.] An Ordinance authorizing the assessment of the damages and benefits caused by the grading of Ridge street, from Thirty-third street to Roup street.

Referred to Committee on Roads.

Also,

[No. 15.] An Ordinance authorizing the construction of a Boardwalk on Knox avenue, from Brownsville avenue to the City line.

Referred to the Committee on Streets.

Also,

[No. 16.] Report of the Viewers of Street Improvements, on the opening of Station street from Frankstown avenue to Penna. Railroad.

Which was approved.

Also,

[No. 17.] Report of the Viewers of Street Improvements on the opening of Knox avenue, from Brownsville avenue to the City line.

Which was approved.

Also,

[No. 18.] Report of the Viewers of Street Improvements on the opening of Osage lane, from Penn avenue to line of property of Stacy Lloyd's heirs.

Which was approved.

Mr. **Rahausser** presented,

[No. 19.] Petition of John Koch, for refunding of overpaid taxes.

Referred to Committee on Appeals.

Mr. **French** presented,

[No. 20.] Petition of Board of Managers of St. James, Church, 36th ward, for exoneration from payment of a portion of the tax on parsonage.

Referred to Committee on Appeals.

Mr. McCafferty presented,

[No. 21.] Petition of John Anderson for refunding of overpaid taxes.

Referred to Committee on Appeals.

Mr. Foley moved.

That the Clerk be directed to notify Select Council that Common Council were ready to meet that body in joint session, for the purpose of electing three persons to be members of the Board of Health, in accordance with the seventeenth section of an Act of Assembly, approved 8th April, 1852.

Which prevailed.

And Select Council were so notified, and the Clerk of Select Council being introduced, announced that Select Council were now ready to meet with Common Council, in joint session, for the purpose of electing three persons to be members of the Board of Health. And Select Council were introduced, and being so met in

JOINT SESSION,

Mr. Hunter presented,

A communication from the Board of Health, announcing the expiration of the official term of Jared M. Brush, T. P. Graham and George W. Backofen, as members of said Board.

Which was read and accepted.

Whereupon Council proceeded to said election.

And **Mr. Aull** nominated W. W. Logan.

Mr. Watson nominated Jared M. Brush.

Mr. Vierheller nominated T. P. Graham.

Mr. Hoeh nominated Geo. W. Backofen.

And the result of the voting was as follows :

For **W. W. Logan**.

Messrs.—Aull, Belfore, Dierst, Forsythe, Frauenheim, French, Fennerty, Gallisath, Gallagher, Hanlon, Hogle, Kirchner, Kohne, Miller, Manning, McClarran (R. M.), McClarran (Newton), McCafferty, Nantker, Neeb, Pier, Rahausen, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Wamhoff, Weisser—31.

For **Jared M. Brush**.

Messrs.—Aull, Belfore, Forsythe, Frauenheim, French, Fennerty, Gallisath, Gallagher, Hanlon, Hogle, Johnston, Kemler, Kirchner, McClarran (R. M.), McClarran (Newton), McCafferty, Neeb, Rahausen, Schwarm, Thomson, Voskamp, Wainwright, Wamhoff, Young, Negley—25.

For **T. P. Graham**.

Messrs.—Aull, Belfore, Dierst, Forsythe, Frauenheim, French, Fennerty, Gallisath, Hanlon, Johnston, Kirchner, Miller, McClarran (R. M.), Nantker, Neeb, Pier, Rahausen, Schwarm, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Negley—24.

For **Geo. W. Backofen**.

Messrs.—Dierst, Foley, Higgins, Johnston, Kinzer, Kemler, Miller, McClarran, (Newton), McCafferty, Nantker, O'Donnell, Pier, Rea, Wainwright, Walker—15.

And **W. W. Logan** received 7 votes.

Jared M. Brush received 74 votes.

T. P. Graham received 60 votes.

Geo. W. Backofen received 41 votes.

And W. W. Logan, Jared M. Brush and T. P. Gra-

ham were declared duly elected members of the Board of Health for the ensuing term.

The Presidents announced the following :

[See proceedings of Select Council.]

President Aiken presented,

A communication from the Controller, covering the bids of the several Banks, Banking Institutions and Banking Companies for the custody of the public moneys or funds of the City for the ensuing year.

Which was read and accepted.

And the bids being opened were as follows :

Smithfield National Bank bid two per cent.

United States Bank bid two per cent.

Pittsburgh Savings Bank bid two and one-half per cent.

Whereupon, Councils proceeded to choose, elect and designate three Banks or Banking Institutions, to be depositories and custodians of the public moneys or funds of said city for the ensuing year.

And the result of the voting was as follows :

For the Smithfield National Bank.

Messrs.—Dierst, French, Johnston, Kohne, Manning, McClarran (R. M.), Nantker, Schuman, Thomson, Walker, Wamhoff, Young, Negley.—13.

For the United States Bank.

Messrs.—Dierst, French, Johnston, Kohne, Manning, McClarran, (R. M.), Nantker, Schuman, Thomson, Walker, Wamhoff, Young, Negley.—13.

For the Pittsburgh Savings Bank.

Messrs.—Dierst, French, Johnston, Kohne, Manning, McClarran (R. M.), Nantker, Schuman, Thomson, Walker, Wamhoff, Young, Negley.—13.

And the following gentlemen declined to vote:

Messrs.—Aull, Belfore, Forsythe, Foley, Gallisath, Gallagher, Higgins, Hanlon, Kinzer, Kemler, Kirchner, McClarran (Newton), McCafferty, Neeb, O'Donnell, Pier, Rahausen, Rea, Schwarm, Voskamp, Wainwright, Weisser—22.

And the Smithfield National Bank received 52 votes.

The United States Bank received 52 votes.

The Pittsburgh Savings Bank received 52 votes.

And there being no election,

On motion the joint session adjourned.

And Select Council returned to their own chamber.

Mr. Campbell being present, took the oath of office, which was administered to him by the President.

[No. 16. S. C.] Resolution directing the City Controller to pay out of appropriation No. 39, instead of appropriation No. 13, as heretofore authorized, \$1265.00 on account of damages by grade on Madison street, and \$115.64 to Insurance Companies, on account of overpaid taxes.

In [S. C.] January 29th, passed finally.

Which, the rule having been suspended, was read three times and finally passed.

Mr. Foley presented,

[No. 22.] Petition of John Gilroy, for privilege to erect a frame building on Carson street.

Referred to Committee on Wooden Buildings.

Mr. Campbell presented,

[No. 23.] Petition for change of location of Fisk street.

Referred to Committee on Surveys.

Adjourned.

Municipal Record.

Proceedings of Select and Common Councils of the City of Pittsburgh.

VOL. 10.

TUESDAY, FEBRUARY 6, 1877.

No. 3.

Municipal Record.

SELECT COUNCIL.

DAVID AIKEN.....PRESIDENT.
E. S. MORROW.....CLERK.

February 6th, 1877.

Council met pursuant, to the Act of Assembly of 6th March, 1847, for the purpose of electing two Guardians of the Poor to serve for three years.

Present—Messrs. Ahl, Baum, Boyd, Bradley, Bruce, Buckley, Burns, Carr, Dannals, Darlington, Duff, Foster (W. S.), Fullerton, Fox, Gray, Hoeh, Holliday, Hunter, Kennedy, Kerr, Lagerman, Littell, Meyer, Miller, Moore, McCandless, McClurg, McKinley, Nantker, Nisbett, Noble, Patterson, Powers, Reiman, Rodgers, Rolfe, Sawyer, Schild, Schwarm, Shipton, Sorg, Sterling, Watson, and President Aiken.

Absent—Messrs. Atkinson, Barclay, Brown (L. T.), Brown (S. S.), Evans, Felker, Foster (A. W.), Gourley, Griffith, Herron, Kelly, Kernan, Lambie, Lappan, MacConnell, Negley, Nusser, O'Neill (Eugene M.), O'Neill (John), Owens, Taylor, Vierheller, Welsh.

The President administered the oath of office to Messrs. Gray and Schild, members elect.

Mr. Bruce moved,

To postpone the reading of the minutes, which motion prevailed.

The President presented,

[37.] A communication from Gus. L. Braun, Secretary of the Guardians of the Poor, announcing the expiration of the official terms of Henry Hays and James T. Kincaid as members of said Board.

Which was read, received and ordered to be filed.

Whereupon Council proceeded to the election of two persons to be Guardians of the Poor to serve for three years.

And Mr. Bruce nominated James T. Kincaid.

Mr. Littell nominated Henry Hays.

And the result of the voting was as follows:

For James T. Kincaid.

Messrs. Ahl, Baum, Bradley, Bruce, Buckley, Burns, Carr, Dannals, Darlington, Foster (W. S.), Fox, Gray, Hoeh, Holliday, Hunter, Kennedy, Kerr, Lagerman, Littell, Meyer, Miller, Moore, McCandless, McConnell, McClurg, McKinley, Nantker, Nisbett, Powers, Reiman, Rodgers, Rolfe, Sawyer, Schild, Schwarm, Shipton, Sorg, Sterling, Watson, Aiken.

For Henry Hays.

Messrs. Ahl, Baum, Bradley, Bruce, Buckley, Burns, Carr, Dannals, Darlington, Foster (W. S.), Fox, Gray, Hoeh, Holliday, Hunter, Kennedy, Kerr, Lagerman, Littell, Meyer, Miller, Moore, McCandless, McClurg, McKinley, Nantker, Nisbett, Powers, Reiman, Rodgers, Rolfe, Sawyer, Schild, Schwarm, Shipton, Sorg, Sterling, Watson, Aiken.

And

James T. Kincaid received 39 votes.

Henry Hays received 39 votes.

And James T. Kincaid and Henry Hays were declared duly elected Guardians of the Poor to serve for the term of three years.

The President presented,

[38.] A communication from Gus. L. Braun Secretary of the Guardians of the Poor, notifying Council that the accounts of said Guardians for the year ending February 1, 1877, are ready to be audited, and suggesting the appointment of a committee for that purpose, in conformity with section 4 of the Act 6th March, 1847.

Which was read and received.

And Mess. Darlington and Powers were appointed for that purpose on the part of Select Council.

Mr. Shipton, by leave, the following:

[39.] Resolved, That the Committee on Legislation be directed to prepare a draft of An Act of Assembly, changing the time for the election of Guardians of the Poor.

Which was read,

And the rule being suspended.

The resolution was read a second time.

Mr. Powers moved.

To amend by the addition of the words. "To the last regular meeting in January, in each year."

Which motion prevailed.

And the resolution was so amended.

And as amended, was agreed to.

And the rule being suspended, the resolution was read a third time and passed finally.

Mr. Kerr, the following:

Resolved, That our members representing the city in the Legislature be and they are hereby respectfully requested to advise Councils of any proposed legislation affecting cities of the second class, and that they oppose any such legislation until Councils have an opportunity to be heard in relation to the same.

Which was read and passed.

Mr. Shipton, by leave, from the Finance Committee, affirmatively as committee, S. C. Bill No. 32, an Ordinance entitled, "An Ordinance authorizing the City Controller to pay any portion of matured temporary loans out of the Municipal sinking fund."

Which was read,

Mr. Nisbett moved,

To suspend the rules to allow the third reading and final passage of the bill.

Which motion prevailed.

And the bill was read a second time and agreed to.

And the title was read and agreed to.

Mr. Bruce moved,

The third reading of the bill.
Which motion prevailed,
And the bill was read a third time and on the question "shall the bill pass finally," the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Baum, Boyd, Bradley, Bruce, Buckley, Burns, Carr, Fox, Fullerton, Gray, Hoeh, Holliday, Hunter, Kerr, Miller, Moore, McKinley, Nantker, Nisbett, Noble, Powers, Rodgers, Schwarm, Shipton, Watson, Aiken—27.

Noes—Messrs. Dannals, Darlington, Foster (W. S.), Lagerman, Littell, Meyer, McCandless, McClurg, Reiman, Rolfe, Sawyer, Schild, Sorg, Sterling.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass finally.

Mr. **Buckley**, by leave,

[41.] Resolved, That the Monongahela Wharf Committee be directed to report an ordinance declaring that portion of Main street fronting on the Ohio river a public wharf.

Which was read and passed.

Mr. **McCandless**.

[42.] Petition for the erection of a public gas lamp on Dinwiddie street, near Rose street.

Which was referred to the Committee on Gas Lighting.

And on motion Council adjourned.

COMMON COUNCIL.

W. B. NEGLEY.....PRESIDENT
GEORGE BOOTH.....CLERK.

PITTSBURGH, February 6th, 1877.

Council met, pursuant to the Act of Assembly, for the purpose of electing two persons to be members of the Board of Guardians of the Poor.

Present—Messrs. Belfore, Blume, Dierst, Forsythe, French, Foley, Gallisath, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kirchner, Kohne, Miller, McClarran (R. M.), Neeb, O'Donnell, Pier, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Weissner, President Negley.

Absent—Messrs. Aull, Egan, Frauenheim, Fennerty, Gallagher, Hogle, Manning, McClarran (N.), McCafferty, Nantker, Rahauser, Walker, Wamhoff, Young.

The **Chair** presented,

[24.] A communication from the Secretary of the Board of Guardians of the Poor, announcing the expiration of the official terms of Robert E. Mercer and James Montooth, members of said Board.

Which was read and received.

Mr. **Foley** moved,

That Councils proceed to an election of two persons to serve as members of said Board of Guardians of the Poor.

Which prevailed.

And Councils proceeded to said election.

Mr. **Neeb** nominated James Montooth.

Mr. **Foley** nominated Robert E. Mercer.

And the result of the voting was as follows:

For James Montooth.

Messrs. Belfore, Blume, Dierst, Forsythe, French, Foley, Gallisath, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kirchner, Kohne, Miller, McClarran (R. M.),

Neeb, O'Donnell, Pier, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Weissner, President Negley.

For Robert E. Mercer.

Messrs. Belfore, Blume, Dierst, Forsythe, French, Foley, Gallisath, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kirchner, Kohne, Miller, McClarran (R. M.), Neeb, O'Donnell, Pier, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Weissner, President Negley.

And James Montooth received 27 votes.

And Robert E. Mercer received 27 votes.

And James Montooth and Robert E. Mercer were declared duly elected members of the Board of Guardians of the Poor.

The **Chair** presented,

[25.] A communication from the Secretary of the Board of Guardians of the Poor, notifying Councils that the accounts of said Board were ready for examination and audit, in accordance with the Act of Assembly creating said Board.

Which was read and received.

And Messrs. W. S. Pier, N. McClarran and J. W. Kemler were appointed on behalf of Common Council to audit the accounts of said Board of Guardians of the Poor.

Also, the following:

[26.] TO THE PRESIDENT OF COMMON COUNCIL: I would respectfully offer my resignation as a member of Council from the 17th ward, on account of my health being too poor to attend to the duties.

JAMES W. CAMPBELL.

Which was read, received and accepted.

Mr. **Thomson** presented,

[27.] An Ordinance, providing for the letting by contract of the cleaning of the paved streets and avenues in the city of Pittsburgh.

Which was referred to the Committee on Streets.

Also,

[28.] An Ordinance relating to the City Engineer and Street and Road Commissioners.

Referred to Committee on Streets.

Also,

[29.] An Ordinance, changing the location of Maiden Lane.

Referred to Committee on Surveys.

Mr. **Wainwright** presented,

[30.] Remonstrance against the report of the Viewers of Street Improvements on the opening of School alley.

Read and received.

Mr. **Pier** presented,

[31.] Petition for crossings over Fifth avenue at Gist street.

Referred to Committee on Roads.

Mr. **Higgins** presented,

[32.] Petition of Lessees of stands in the Diamond Markets for reduction of rents.

Referred to Committee on Markets.

[S. C. No. 30.] Annual Report of the Board of Fire Commissioners.

In S. C. January 29th. Read and received and three hundred copies ordered to be printed.

In which action C. C. concurred.

Mr. **Neeb** presented the following:

[33.] Resolved, That the Board of Fire Commissioners be and they are hereby requested to confer with the members of the Monongahela Wharf Committee, relative to the loaning of a fire engine for washing the wharf.

Which was read and passed.

Adjourned.

Municipal Record.

Proceedings of Select and Common Councils of the City of Pittsburgh.

VOL. 10.

MONDAY, FEBRUARY 12, 1877.

No. 4.

Municipal Record.

SELECT COUNCIL.

DAVID AIKEN.....PRESIDENT.
E. S. MORROW.....CLERK.

PITTSBURGH, February 12, 1877.

Council met.

Present—Messrs. Atkinson, Barclay, Baum, Boyd, Bradley, Brown (L. T.), Buckley, Dannals, Duff, Evans, Foster (W. S.), Fox, Fullerton, Griffith, Heron, Holliday, Hunter, Kelly, Kennedy, Kerr, Lappan, Littell, Meyer, Miller, McCandless, MacConnell, McClurg, McKinley, Nisbett, Noble, O'Neill (E. M.), Owens, Patterson, Powers, Rodgers, Rolfe, Sawyer, Schild, Schwarm, Shipton, Sorg, Sterling, Taylor, Watson. Welsh, President Aiken.

Absent—Messrs. Ahl, Brown (S. S.), Bruce, Burns, Carr, Darlington, Felker, Foster (Alex. W.), Gourley, Gray, Hoch, Kernan, Lagerman, Lambie, Moore, Nantker, Negley, Nusser, O'Neil (John), Reiman, Vielheller.

Mr. **Powers** moved

To dispense with the reading of the minutes.

Which motion prevailed.

Mr. **Hunter** presented

[43.] Petition of D. Hostetter, asking the refunding of overpaid taxes.

Which was referred to the Board of Assessors.

Mr. **Welsh**,

[44.] Petition of Tibby Bros., for leave to erect an iron clad building, corner of Smallman and Twenty-first streets.

Which was referred to Committee on Wooden Buildings.

Mr. **Brown (L. T.)**,

[45.] Petition asking for the repair of the steps on Bluff street, leading from Second avenue to Seneca street.

Which was referred to Committee on Roads.

Also,

[46.] Petition of John J. Evans, for abatement of taxes.

Which was referred to the Board of Assessors.

Mr. **Watson**,

[47.] Petition for the grading and paving of Spring alley, between Laurel avenue and Mary street.

Which was referred to the Street Committee.

The **President**,

[48.] An Ordinance locating Evaline street, from Penn avenue to Liberty avenue.

Which was referred to the Survey Committee.

Also,

[49.] An Ordinance authorizing the Gas Committee to enter into a contract with the East End Gas Company.

Which was referred to the Committee on Gas Lighting.

Mr. **Kerr**,

[50.] Petition of Philopœna Sorg for refunding personal tax.

Which was referred to the Board of Assessors.

Also,

[51.] Resolved, That the City Controller be and he is hereby authorized to refund by warrant to Mrs. W. Sorg, the sum of twenty dollars, on account of business tax paid by her on an overestimate of the business done by her.

Which was referred to the Finance Committee.

Mr. **Miller**,

[52.] Memorial from property owners and citizens residing on Manor street, setting forth that the P., V. & C. R.-R. Co. have, by placing a double track on said street, entirely impeded travel for vehicles thereon, and praying Councils to take such action in the premises, as will compel said Company to grant them relief.

Which was referred to the Road Committee.

Mr. **Noble**,

[53.] Resolved, That the Water Committee be and they are hereby authorized and directed to have fire plugs placed on Grand View avenue, at the following points, to wit: one, corner Spring street; one, corner Kirkpatrick street; one, corner Bertha street.

Which was referred to the Water Committee.

Mr. **Holliday**, the following:

[54.] Resolved, That the City Engineer be and he is hereby authorized and directed to run and mark with monument stones, the lines of the Thirty-fifth ward, of the city of Pittsburgh, and report the same to Councils for approval.

Which was read.

And the rule being suspended, the resolution was read a second and a third time and finally passed.

Also, the following:

[55.] Resolved, by the Select and Common Councils of the city of Pittsburgh, That Section 28 of City Code, title, Streets, be so construed as to grant to the West Pittsburgh Gas Company, the same privileges that are now conferred by said Section 28 upon the employees of the Gas Companies, in regard to the opening and closing of streets, for the purpose of putting down or taking up gas mains and gas pipes, Provided, That the privileges hereby conferred shall apply only to the streets, lanes and avenues in the 35th ward.

Which was referred to the Committee on Gas Lighting.

Mr. **Taylor**,

[56.] An Ordinance repealing an Ordinance entitled "An Ordinance authorizing the opening of School alley, from Davison street to Sherman street," passed October 9th, 1875.

Which was referred to the Street Committee.

Mr. **Hunter**,

[57.] Resolved, That the Finance Committee

be and they are hereby directed to make provision for paying Martin Joyce five thousand dollars on account of sewer on School alley.

Which was referred to the Finance Committee.

Mr. McCandless, from the Water Committee, [58.] Report covering a statement of the expenditures for the month of January, \$7,311.82.

Which was read and accepted.

Also, from the same committee,

[59.] A report covering a statement of expenditures (\$7,943.67) for the month of December, 1876.

Which was read and accepted.

Mr. Schwarm, from the Market Committee,

[60.] A report announcing the organization of the committee by the election of Jacob Schwarm, Esq., as Chairman, and covering a statement of the expenditures (\$672.68) for the month of January.

Which was read and accepted.

Mr. Shipton, from the Committee on Gas Lighting,

[61.] A report announcing their organization, by the election of John Shipton, Esq., as Chairman.

Which was read and accepted.

Also, from the Committee on Gas Lighting,

Affirmatively, as committed,

[S. C. bill, No. 1.] An Ordinance entitled "An Ordinance fixing the price to be paid by the city to the East End Gas Company for gas furnished to and consumed by said city."

Which was read.

Mr. Shipton moved

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed,

And the bill was read a second time and agreed to.

And the title was read and agreed to.

Mr. Shipton moved

The third reading of the bill.

Which motion prevailed,

And the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Barclay, Baum, Boyd, Bradley, Brown (L. T.), Buckley, Dannals, Evans, Foster (W. S.), Fox, Fullerton, Griffith, Holliday, Hunter, Kelly, Kennedy, Kerr, Littell, Meyer, Miller, McCandless, MacConnell, McClurg, McKinley, Nisbett, Noble, O'Neill (Eugene M.), Owens, Powers, Rodgers, Rolfe, Sawyer, Schild, Schwarm, Shipton, Sorg, Sterling, Taylor, Watson, Welsh, Aiken—41.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. Kerr, from the Committee on Ordinances,

[62.] A report announcing the organization of the committee, by the election of James Kerr, Esq., as Chairman.

Which was read and accepted.

Also, from the Ordinance Committee,

Affirmatively, as amended in committee,

[S. C. bill, No. 22.] An Ordinance entitled "An Ordinance prescribing the duties and fixing the salary of the Message Clerk of Councils."

Which was read.

Mr. Kerr moved

To suspend the rule to allow the third reading and final passage of the bill.

Which motion prevailed,

And the bill was read a second time.

Mr. Watson moved

To amend the bill by fixing the salary at five hundred dollars.

Which motion did not prevail,

And the bill as read was agreed to.

And the title was read.

Mr. Kennedy moved

To amend the title by inserting the words, "providing for the appointment" after the words, "an Ordinance."

Which motion prevailed,

And the title was so amended,

And as amended was agreed to.

The Clerk of Common Council being introduced, presented the following papers for concurrence:

[C. C., No. 33.] Resolution requesting the Fire Commission to confer with the Committee on Monongahela Wharf, relative to cleaning of wharfs.

C. C. passed.

[C. C., No. 16.] Viewers' report on the opening of Station street, from Frankstown avenue to Pennsylvania Railroad.

C. C. approved.

[C. C., No. 17.] Viewers' report on the opening of Knox avenue, from Brownsville road to the city line.

C. C. approved.

[C. C., No. 18.] Viewers' report on the opening of Osage lane, from Penn avenue to line of property of Stacy Lloyd's heirs.

C. C. approved.

Mr. MacConnell, from the Road Committee,

[63.] A report announcing the organization of the committee, by the election of John G. MacConnell, Esq., as Chairman. That the expenditures for the month of January, 1877, were \$1,323.06.

Which was read and accepted.

Also, from the same committee,

Affirmatively, as committed,

[S. C. bill, No. 13.] An Ordinance entitled "An Ordinance changing the grade of Second avenue, between Murphy street and a point 1,603 feet east of the east curb of Murphy street."

Which was read.

Mr. MacConnell moved

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed,

And the rule having been suspended, the bill was read a second time.

Mr. Duff moved

To refer the bill to the Ordinance Committee.

Which was decided in the negative.

Mr. Powers moved

To lay the bill on the table.

On which motion a division was had, and there were thirteen ayes and twenty-three noes, so the motion did not prevail,

And the bill, as read, was agreed to,

And the title of the bill was read and agreed to.

Mr. MacConnell moved

The third reading of the bill.

Which motion prevailed,

And the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atkinson, Baum, Boyd, Bradley, Brown (L. T.), Evans, Foster (W. S.), Fox, Fullerton, Hunter, Kennedy, Littell, McCandless, MacConnell, McClurg, McKinley, Owens, Powers, Rolfe, Shipton, Sorg, Taylor, Watson, Aiken—24.

Noes—Messrs. Barclay, Dannals, Duff, Griffith, Holliday, Kelly, Kerr, Nisbett, Noble, O'Neill (E. M.), Patterson, Rodgers, Sawyer, Schild, Schwarm, Welsh—16.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass finally.

Mr. MacConnell, from the Road Committee,

Affirmatively, as committed,

[C. C. bill, No. 7.] An Ordinance entitled "An Ordinance authorizing the opening of Center avenue, from Neville street to Liberty avenue."

Which was read.

Mr. MacConnell moved

To suspend the rule to allow the third reading and final passage of the bill.

Which motion prevailed,

And the rule having been suspended, the bill was read a second time and agreed to,

And the title of the bill was read and agreed to.

Mr. MacConnell moved

The third reading of the bill.

Which motion prevailed.

And the bill was read a third time. And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atkinson, Barclay, Boyd, Brown (L. T.), Buckley, Dannals, Duff, Evans, Foster (W. S.), Fox, Holliday, Hunter, Kelly, Kennedy, Littell, Meyer, McCandless, MacConnell, McClurg, McKinley, Nisbett, O'Neill (Eugene M.), Owens, Powers, Rodgers, Rolfe, Schild, Schwarm, Shipton, Sterling, Taylor, Watson, Welsh, Aiken—34.

Noes—Messrs. Baum, Bradley, Fullerton, Griffith, Patterson, Sorg—6.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass finally.

Mr. MacConnell moved

To refer the bill to the Board of Viewers of Street Improvements.

Which motion prevailed.

And the bill was so referred.

Mr. MacConnell, from the Road Committee,

Affirmatively, as committed,

[C. C. bill, No. 8.] An Ordinance entitled

"An Ordinance authorizing the opening of Reservoir avenue, from River avenue to Hilland avenue reservoir."

Which was read and referred to the Board of Viewers of Street Improvements.

Mr. MacConnell, from the Road Committee,

Affirmatively, as committed,

[C. C. bill, No. 9.] An Ordinance entitled

"An Ordinance authorizing the assessment of the cost of construction of a bridge over Negley's run, on the line of Lincoln avenue."

Which was read.

Mr. MacConnell moved

That the rule be suspended, to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended, the bill was read a second time and agreed to.

And the title of the bill was read and agreed to.

Mr. MacConnell moved

The third reading of the bill,

Which motion prevailed.

And the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atkinson, Barclay, Baum, Brown (L. T.), Buckley, Dannals, Duff, Evans, Foster (W. S.), Fox, Fullerton, Griffith, Holliday, Hunter, Kelly, Kennedy, Kerr, Lappan, Meyer, McCandless, MacConnell, McClurg, McKinley, Nisbett, O'Neill (E. M.), Owens, Powers, Rodgers, Rolfe, Schild, Schwarm, Shipton, Sorg, Sterling, Taylor, Watson, Welsh, Aiken—38.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Also,

Mr. MacConnell, from the Road Committee, affirmatively, as committed.

[C. C. bill, No. 10.] An Ordinance entitled

"An Ordinance authorizing the assessment of the cost of construction of a bridge over Boundary street, on the line of Forbes street."

Which was read.

Mr. MacConnell moved

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended, the bill was read a second time and agreed to.

And the title of the bill was read and agreed to.

Mr. MacConnell moved

The third reading of the bill.

Which motion prevailed.

And the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atkinson, Barclay, Baum, Bradley, Brown (L. T.), Buckley, Evans, Foster (W. S.), Fox, Fullerton, Holliday, Hunter, Kelly, Kerr, Lappan, Meyer, McCandless, MacConnell, McClurg, McKinley, Nisbett, O'Neill (E. M.), Owens, Powers, Rodgers, Rolfe, Schild, Schwarm, Shipton, Sorg, Sterling, Taylor, Watson, Welsh, Aiken—35.

Noes—None.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass finally.

Mr. MacConnell, from the Road Committee, affirmatively, as committed,

[C. C. bill, No. 14.] An Ordinance entitled "An Ordinance authorizing the assessment of damages and benefits caused by the grading of Ridge street, from Thirty-third street to Roup street."

Which was read.

Mr. MacConnell moved

That the rule be suspended, to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended, the bill was read a second time and agreed to.

And the title of the bill was read and agreed to.

Mr. MacConnell moved

That the bill be read a third time.

Which motion prevailed.

And the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atkinson, Barclay, Baum, Bradley, Brown (L. T.), Buckley, Dannals, Evans, Foster (W. S.), Fox, Fullerton, Griffith, Herron, Holliday, Hunter, Kelly, Kennedy, Kerr, Lappan, Littell, Meyer, McCandless, MacConnell, McClurg, McKinley, Nisbett, O'Neill (Eugene), Owens, Powers, Rodgers, Rolfe, Schild, Schwarm, Shipton, Sorg, Sterling, Taylor, Watson, Welsh, Aiken—40.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. Kerr, from the Committee on Legislation, [64.] A report announcing the organization of the committee, by the election of James Kerr, Esq., as Chairman.

Which was read and accepted.

Also, from the same committee,

Affirmatively, as a substitute for S. C. resolution, No. 40.

[65.] Resolved, That the Representatives from this district, in the Legislature, be and they are hereby requested to oppose the passage of the bill now before the Senate, in relation to the collection of taxes in its present shape, and that the bill be amended to provide that the first payment shall be made in May—a discount of five per cent. to be allowed for prompt payment, of ten per cent. for payment of all taxes assessed, and a penalty of five per cent. to be added for non-payment. The second payment to be made in August—five per cent. discount to be allowed for prompt payment, and a penalty of five per cent. to be added for non-payment.

Which was read and passed.

Mr. Hunter, from Committee on City Property,

[66.] A report announcing the organization of the Committee on City Property, and reporting their expenditures (\$370) for the month of January.

Which was read and accepted.

Mr. Brown,

[67.] A petition for the erection of a public gas lamp in front of Bellefield school house, on Fifth avenue.

Which was referred to Committee on Gas Lighting.

And on motion Council adjourned.

COMMON COUNCIL.

W. B. NEGLEY.....PRESIDENT.

GEORGE BOOTH.....CLERK.

PITTSBURGH, February 12th, 1877.

Council met.

Present—Messrs. Aull, Belfore, Blume, Dierst Egan, French, Fennerty, Foley, Gallagher, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kirchner, Kohne, Miller, McClarran (R. M.), McClarran (Newton), McCafferty, Nantker, Neeb, O'Donnell, Pier, Rahausner, Rea, Schwarm, Thomson, Voskamp, Wainwright, Wamhoff, Weisser, Young, Negley.

Absent—Messrs. Forsythe, Gallisath, Hogle, Manning, Schuman and Walker.

The minutes of the meetings of Jan. 29th, and Feb. 6th, were severally read and approved.

Mr. Higgins presented,

[34.] Resolution directing the City Attorney to draw up a bill amending the Act of Assembly allowing the City Treasurer one per cent. for collecting school tax, so as to allow one-half of one per cent.

Which was referred to the Committee on Legislation.

Mr. McClarran (R. M.), presented,

[35.] Petition for the repair of the 19th ward Station House.

Referred to Committee on City Property.

Mr. McClarran (Newton), presented,

[36.] Petition for refunding of overpaid tax on the estate of Alex. McClurg.

Referred to Board of Assessors.

Also,

[37.] Petition of Newton McClarran for refunding of overpaid taxes.

Referred to Board of Assessors.

Mr. Dierst presented,

[38.] An Ordinance authorizing the opening of Woodville avenue extension, from Washington Pike to Shalersville.

Referred to Committee on Streets.

Mr. Thomson presented,

[39.] Report from the Committee on Streets, reporting their organization by the election of W. W. Thomson as chairman. Also, covering a statement of the expenditures for street purposes during month of January, as follows:

1st District.....	\$1,545 16
2d ".....	1,089 24
3d ".....	624 94
5th ".....	470 63
6th ".....	636 45
7th ".....	261 10
Engineer's Department.....	674 66
Board of Viewers.....	493 00
Total.....	\$5,795 18

Which was read and received.

Also, from the Street Committee, recommended affirmatively,

[No. 5, C. C.] Resolved, That the City Controller is hereby authorized to issue his certificate for a warrant for \$52.50 to John O'Keefe, assignee of H. A. Freyvoile, for castings delivered to the city for Butler street sewer, and charge appropriation No. 7, streets.

Which was read.

And the rule having been suspended, the resolution was read a second and third time and finally passed.

Also, from the same committee, affirmatively recommended,

[No. 2, C. C.] Entitled, "An Ordinance vacating Hill street, from Brownsville avenue to Bailey's line."

Which was read.

And the rule having been suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Dierst, Egan, Fennerty, Foley, Gallagher, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kirchner, Kohne, Miller, McClarran (R. M.), McClarran (Newton), McCafferty, Nantker, Neeb, O'Donnell, Pier, Rahausner, Rea, Schwarm, Thomson, Voskamp, Wainwright, Wamhoff, Weisser, Young, President Negley.—32.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, from the same Committee, affirmatively recommended,

[No. 12, C. C.] Entitled, "An Ordinance authorizing the opening of Forty-seventh street, from the south side of the A. V. R. R. to the north side of the A. V. R. R."

Which was read.

And the rule having been suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Blume, Dierst, Egan, Fennerty, Foley, Gallagher, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kirchner, Kohne, Miller, McClarran (R. M.), McClarran (Newton), McCafferty, Nantker, Neeb, O'Donnell, Pier, Rahausner, Rea, Schwarm, Thomson, Voskamp, Wainwright, Wamhoff, Weisser, Young, President Negley.—33.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

Also, from the Committee on Streets, affirmatively recommended,

[No. 13, C. C.] Entitled, "An Ordinance authorizing the assessment of damages and benefit caused by the grading of Locust street, from Shinglers street to Miltenberger street.

Which was read.

And the rule having been suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Blume, Dierst, Egan, French, Fennerty, Foley, Gallagher, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kirchner, Kohne, Miller, McClarran (R. M.), McClarran (Newton), McCafferty, Nantker, Neeb, O'Donnell, Pier, Rahausner, Rea, Schwarm, Thomson, Voskamp, Wainwright, Wamhoff, Weisser, Young, Pres't. Negley.—34.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, from the Committee on Streets, affirmatively recommended,

[No. 15, C. C.] Entitled, "An Ordinance authorizing the construction of a boardwalk on Knox avenue, from Brownsville avenue to the City line."

Which was read.

And the rule having been suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Blume, Dierst, Egan, French, Fennerty, Foley, Gallagher, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kirchner, Kohne, Miller, McClarran (R. M.), McClarran (Newton), McCafferty, Nantker, Neeb, O'Donnell, Pier, Rahausner,

Rea, Schwarm, Thomson, Voskamp, Wainwright, Wamhoff, Weisser, Young, President Negley.—34.
Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Mr. **Aull** presented,

[40.] A report from the Committee on Surveys, reporting their organization by the election of W. F. Aull as chairman, and the appointment of Edward M. Bigelow as Chief of Survey Corps

Also, a statement of the expenditures for the month of January, amounting to \$388.00.

Which was read and received.

Mr. **Neeb** presented,

[No. 41, C. C.] Report from the Committee on Police, announcing their organization by the election of John N. Neeb as Chairman, and covering a statement of their expenditures for the month of January, amounting to \$16,526.68.

Which was read and received.

Mr. **Pier** presented,

[42.] Report from the Committee on Retrenchment and Reform, announcing their organization by the election of W. S. Pier as Chairman.

Which was read and received.

Mr. **Kemler** presented,

[43.] Report from the Committee on Monongahela Wharves, announcing their organization by the election of J. W. Kemler as Chairman. Also, reporting the receipts and expenditures for the month of January, as follows:

EXPENDITURES.

North Side.....	\$465 94
South Side.....	63 83

RECEIPTS.

North Side.....	\$526 65
South Side.....	428 00

Which was read and received.

Mr. **Pier** presented,

[44.] Report from the Committee on City Printing, announcing their organization by the election of W. S. Pier as Chairman.

Which was read and received.

Mr. **Rahauser** presented,

[45.] Report from the Committee on Railroads, announcing their organization by the election of G. G. Rahauser, Esquire, as Chairman.

Which was read and received.

Mr. **Dierst** presented,

[46.] Report from the Committee on Appeals, from City Assessments, announcing their organization by the election of F. Dierst, Esq., as Chairman.

Which was read and received.

Also, from the Committee on Appeals, affirmatively recommended, the following:

[47.] Resolved, That the City Controller be and he is hereby authorized and directed to issue his certificates on the Mayor, for warrants in favor of the following named persons, for refunding overpaid taxes.

Mrs. D. Mariu, 15th ward	\$ 6 74
Frank Reiter, 14th ward	7 76
John Anderson, 18th ward	4 75
Jacob Soffel, 32d ward.....	23 53
Magdalena Rebholtz, 30th ward.....	10 00

And charge the same to the Contingent Fund.

Which was read.

And the rule having been suspended, the resolution was read a second and third time and finally passed.

Also, from the same Committee, affirmatively recommended, the following:

[48.] Resolved, That the City Treasurer be and he is hereby directed to allow the following exonerations of taxes:

NAME.	Ward.	City.	W. W. Interest.	Fire.	Sinking Fund.	Special.
Magdalena Rebholtz.....	30th.....	\$ 5 72	\$ 2 35	\$ 1 53	1 41	
F. G. Bender's Heirs.....	14th.....	2 08	87	57	52	
Henry Crowley's Heirs.....	14th.....	2 60	1 09	72	65	
John Hanson's Heirs.....	14th.....	3 16	1 32	1 40	1 27	
M. M. Manesager's Heirs.....	14th.....	2 20	92	61	55	
Soho Mission Church.....	14th.....	8 64	3 60	2 38	2 16	
Terrence Burns.....	22d.....	34 92	14 55	9 60	8 73	
John Anderson.....	18th.....	2 24	93	62	56	

Which was read.

And the rule having been suspended, the resolution was read a second and third time, and finally passed.

BUSINESS FROM SELECT COUNCIL.

[No. 39, S. C.] Resolution directing the Committee on Legislation to prepare an Act changing the time for electing Guardians of the Poor.

In S. C. February 6th, passed finally.

Which was read and passed finally.

[No. 7, S. C.] Resolution requiring the Water Committee to refuse estimates to contractors on New Water Works, until report be made by them, on resolution of Councils, passed June 29th, 1876.

In S. C. January 8th, 1877, passed finally.

Which was read and passed finally.

[No. 3, S. C.] Message from the Mayor, returning, without his approval, S. C. bill No. 562, fixing the salary of the Message Clerk.

In S. C. January 8th, 1877, read and accepted.

Which was read and received.

[No. 4, S. C.] Message from the Mayor, returning, without his approval, S. C. bill No. 458, for assessment of the damages caused by the grading of Sarah street.

In S. C. January 8th, read and accepted.

Which was read and received.

[No. 24, S. C.] Resolution appointing the City Attorney, Controller, Clerks of Councils and Finance Committee as a committee to examine the matter of procuring new digest of Laws and Ordinances relating to the City of Pittsburgh.

In S. C. January 29th, 1877, passed.

Which was read and passed.

[339, S. C.] (1876.) Resolution for warrant in favor of Jno. Parkinson, B. McTiernan and E. Wormser, for payment of damages caused by the grading of Sylvan avenue.

In S. C. January 29th, passed finally.

Which was read.

Mr. **Aull** moved,

To refer the resolution to the Committee on Finance.

Which prevailed.

[No. 29, S. C.] Resolution for the appointment of a special committee to investigate the condition of the sinking funds.

In S. C. January 29th, 1877, passed finally.

Which was read and passed, and Messrs. N. McClarran, Foley, Schwarm and ——— appointed on part of C. C.

[No. 40, S. C.] Resolution requesting the representatives of the City of Pittsburgh in the Legislature of Penna. to advise Councils of any proposed legislation-affecting cities of the 2d. class.

In S. C. February 6th, passed finally.

Which was read and passed

[No. 41, S. C.] Resolution directing the Committee on Monongahela Wharf to report an Ordinance making the foot of Main street, 34th ward, a public Wharf.

In S. C. February 6th, passed finally.

Which was read.

Mr. **Neeb** moved,

To refer the resolution to the Committee on Monongahela Wharf.

Which prevailed.

[23, S. C.] Resolution directing that hereafter all appeals for refunding overpaid taxes, or for exoneration of overassessed taxes shall be referred to the Board of Assessors for action.

In S. C. January 29th, 1877, passed finally.

Which was read and passed finally.

[No. 36, S. C.] Report from the City Attorney, on the report of Viewers, on the opening of School alley, from Davison to Sherman streets, recommending the approval of the report.

In S. C. January 29th, read and accepted.

Which was read.

Mr. **Wainwright** moved,

That the report, together with the report of the Viewers, on the opening of School alley, and the remonstrance against the same, (No. 36, C. C.) presented February 6th, 1877, be referred to the Survey Committee in conjunction with the City Attorney.

Which motion prevailed.

Adjourned.

Municipal Record.

Proceedings of Select and Common Councils of the City of Pittsburgh.

VOL. 10.

MONDAY, FEBRUARY 26, 1877.

No. 5.

Municipal Record.

SELECT COUNCIL.

DAVID AIKEN.....PRESIDENT.
E. S. MORROW.....CLERK.

MONDAY, FEBRUARY 26, 1877.

Council met.

Present.—Messrs. Ahl, Atkinson, Baum, Boyd, Bradley, Brown (L. T.), Bruce, Buckley, Burns, Carr, Dannels, Darlington, Duff, Evans, Felker, Foster (Alex. W., Jr.), Foster (W. S.), Fox, Fullerton, Gouley, Gray, Griffith, Herron, Hoch, Holliday, Holmes, Kelly, Kernan, Kerr, Lagerman, Lambie, Lappan, Littell, Meyer, Miller, Moore (W. J.), McCandless, McClurg, McKinley, Nantker, Negley, Nisbett, Noble, Nussler, O'Donnell, O'Neill (Eugene M.), O'Neil (John), Patterson, Powers, Reiman, Rodgers, Rolfe, Sawyer, Garrison, Schild, Schwarm, Shipton, Moore (Wm.), Sorg, Sterling, Chambers, Taylor, Vierheller, Watson, Welsh, Aiken.

Absent.—Messrs. Barckley, Brown (Sam'l S.), Hunter, Kennedy, MacConnell, Owens.

Mr. Powers moved,

To dispense with the reading of the minutes.

Which motion prevailed.

The President presented,

Certificates from the Prothonotary of the Courts of Common Pleas Nos. 1 and 2 in and for the county of Allegheny, certifying that the following named persons were elected as members of Select Council.

[68.] William Moore, Second ward, unexpired term of B. Singler, deceased.

[69.] J. C. O'Donnell, Fifteenth ward, unexpired term of S. Dietrich, deceased.

[70.] Samuel Garrison, Eighteenth ward, unexpired term of N. P. Sawyer.

[71.] Geo. J. Chambers, Twenty-ninth ward, unexpired term of H. Stouff.

[72.] Josiah Holmes, Twenty-first ward, unexpired term of Jno. T. Denniston.

Which were read and approved.

Also, the following:

[73.] To the President and Members of Select Council of the City of Pittsburgh.—Gentlemen: I am instructed by the Pennsylvania Railroad Company to say that the work of building the Thirty-third street bridge, which was commenced by them, was subsequently deferred, in accordance with a resolution passed by you, and duly transmitted to the Company, that the Company are unwilling longer to postpone the building of the bridge, and propose now to proceed to carry out the terms of their contract

with the city, by the speedy commencement and prosecution of the work. Before proceeding, the Company would be pleased to have from you any communication you desire to make on the subject.

Respectfully,

ROBT. PITCAIRN,
General Agent and Sup't.

PITTSBURGH, February 16, 1877.

Which was read and received.

Also,

[74.] Communication from the City Engineer asking for instructions relative to the subject matter of an annexed communication from Robert Pitcairn, General Agent and Superintendent Pennsylvania Railroad, notifying the city that the company was about to proceed with the erection of the bridge on 33d street.

Which was read and referred to the City Attorney for an opinion as to the right of the company to proceed with the work without the consent of the city.

Mr. Shipton, the following:

[75.] PITTSBURGH, FEBRUARY 24, 1877.

Jno. Shipton, Esq., Chairman Finance Committee:

Sir: Inasmuch as your committee is about to report, and then Councils to consider, the appropriation ordinance for the year 1877, I think it a fit time to call your attention to one or two matters in connection with the fiscal affairs of the city, the consideration of which, at this time, may be of advantage.

First. As to the depositories of the public funds. You, sir, know the difficulties which have been experienced by the city in the working of the Barton Ordinance. Would it not be well to recommend the repeal of that Ordinance, and in lieu thereof, enact a measure directing the election by Councils of one or more depositories from amongst banks having not less than a half million of capital? If this were done the choice of depositories would be narrowed to banks of unquestionable solvency.

Second. It has become fashionable to rail at the Executive officers of City Hall, and hold them responsible for the present condition of the city. These officers are not responsible for either Penn avenue or water extension indebtedness. Eliminate these two items and allow for the increase of territory and population, and I undertake to prove that the annual expenditures of the city *per capita* are very little, if any, greater than they were in 1866. The interest and sinking fund appropriations, amounting to more than a million of dollars annually, greatly exceed the aggregate of the other expenses of government.

Whatever tends to decrease these items is a proper subject for the attention of your committee. The Penn avenue indebtedness, and the annual interest thereon, almost half a million, ought to be equitably adjusted, if possible, and the way to do it is to remedy by legislation the decision of the case of Seeley vs. the city of Pittsburgh.

This is a matter of vast importance, and no man who has the welfare and ultimate prosperity of the city at heart, should, from any mistaken idea of individual interest, interpose an objection. Personally, I have no

property within the limits of the old city, yet citing my own case as one among many, I would rather pay the assessment on the property I have in the consolidated district than have the Penn avenue indebtedness saddled on the city at large, and believe that this would be to my interest as a member of this community. If the decision is allowed to stand, many think it will be more or less disastrous to the permanent prosperity of the city. At all events it cannot prove otherwise than a very heavy burden, and it should, if possible, be replaced upon those who were benefited by the expenditures which caused the debt. The evil effects of this decision can be remedied by a bill establishing the principle of assessing the cost of these streets and avenues according to the benefits, instead of arbitrary foot front rule, which was set aside by that decision. No reasonable objection can be raised to a measure of this kind, which, if passed, would save the city at large from four to five millions of general indebtedness, besides the tax levy for annual interest on this sum.

The old city, the Lawrenceville wards, and most of the South Side wards, are more interested in the passage of a bill of this character than the other portions of the city. The discrimination under our tax laws in favor of the rural districts, the equity of the measure, the financial condition and future of the city, all unite in suggesting the propriety not only of no opposition, but that a cheerful assent be given by the property owners who will be charged with the cost of these streets in case the bill passes.

Trusting your committee and Councils will see the advisability and justice of as well as the immediate necessity for the measure,

I remain, yours, respectfully,

C. L. MAGEE.

Which was read and referred to the Finance Committee.

Also, the following:

[76.] Whereas, The Supreme Court of Pennsylvania has decided, in the case of Seeley vs. the City of Pittsburgh, that the mode provided by what is known as the Penn avenue Act for the assessment of the cost of the grading and paving of the streets constructed under said act is unconstitutional, and that the said cost should be assessed on the properties benefited by the construction of said streets; and,

Whereas, Additional legislation is necessary to provide for the proper assessment of the cost of grading and paving of said streets; therefore,

Resolved, That the members of the Legislature from this city are hereby requested to offer in the Legislature, and urge the passage of an Act of Assembly providing for the re-assessment and collection of the cost of the grading and paving of all streets constructed under the authority of the Penn avenue Act, and its several supplements, on the properties benefited by the construction of said streets, in accordance with the principles announced in the decision of the Supreme Court. And they are further requested to use all proper means in their power to have such Act passed at this session of the Legislature.

And it is further resolved, That a copy of the foregoing resolution be immediately forwarded by the Clerks of Councils to each of the members of the Legislature from this city.

Which were read and laid over, under the rule.

Mr. O'Neill (E. M.),

[77.] Bill of Pittsburgh *Dispatch* for advertising done for the late Borough of Temperanceville. Which was referred to the Finance Committee.

Mr. Herron,

[78.] Petition of R. M. Leonard for reduction of taxes.

Which was referred to the Board of Assessors.

Mr. McCandless,

[79.] Petition of A. E. McCandless for leave to build a frame stable corner Dinwiddie and Rose streets.

Which was referred to the Committee on Wooden Buildings.

Mr. Welsh,

[80.] Petition of T. A. Gillespie for leave to erect an iron clad building at the corner of Twenty-first and Railroad streets.

Which was referred to the Committee on Wooden Buildings.

Mr. Taylor,

[81.] Petition for a street crossing at the northern corner of Summit and Forty-fifth streets.

Which was referred to the Street Committee.

Mr. Littell,

[82.] Petition of M. Haas for reduction of assessment, 21st ward.

Which was referred to the Board of Assessors.

Also, the following:

[83.] An Ordinance fixing the salaries of certain city officials.

[84.] An Ordinance fixing the compensation to be paid the employees of the Fire Department.

[85.] An Ordinance fixing the wages to be paid to certain employees of the Street and Road Committee.

[86.] An Ordinance fixing the number of the Police Force of the City of Pittsburgh.

[87.] An Ordinance fixing the salary of the Police Force of the City of Pittsburgh.

Which were referred to the Committee on Retrenchment and Reform.

Mr. Carr, the following.

[88.] Resolved, That the seat of Jacob Nusser, of the 27th ward, be declared vacant, on account of non-residence in the ward.

Which was read.

Mr. Carr moved

The passage of the resolution.

Which was decided in the negative.

Mr. Carr, the following:

[89.] Resolved, That the City Attorney be authorized and directed to apply to the proper authorities for an injunction to restrain the Brownsville Avenue Commission from proceeding any further with the construction of the wall now under headway, near "Robinson's road."

Which was read.

Mr. Carr moved

To suspend the rule, to allow the third reading and final passage of the bill.

On which motion a division was had and there were thirty-nine ayes and three noes.

So the motion prevailed.

And the rule having been suspended, the resolution was read a second time and agreed to.

Mr. Carr moved

The third reading and final passage of the resolution.

Which motion prevailed.

And the resolution was read a third time and finally passed.

Mr. Nisbett,

[90.] Resolved, That the Street Commissioner be and is hereby instructed to place a plank crossing on Brownsville road, at Maple alley, 31st ward.

Which was referred to the Street Committee.

Mr. Holliday,

[91.] An Ordinance authorizing the construction of a boardwalk on Manor street, from tunnel under P., V. & C. R. R. to P., V. & C. R. R. crossing.

Which was referred to the Street Committee.

Also,

[92.] Report from Committee on Bridges announcing its organization by the election of G. L. Holliday, Esq., as chairman.

Which was read and accepted.

Mr. Negley,

[93.] Petition of Samuel J. Greer, for an allowance for damages sustained by the construction of the Forbes street sewer.

Which was referred to the Finance Committee.

Mr. O'Neil (John), the following:

[94.] Resolved, That the Survey Committee

be abolished, and the said Committee be placed on Streets, with full power over the Engineer corps.

Which was referred to the Ordinance Committee with instructions to prepare and report an Ordinance.

The Clerk of Common Council being introduced, presented the following papers for concurrence:

[C. C. No. 39.] Report of Committee on Streets.

[C. C. No. 40.] Report of Committee on Surveys.

[C. C. No. 41.] Report of Committee on Police.

[C. C. No. 42.] Report of Committee on Retrenchment and Reform.

[C. C. No. 43.] Report of Committee on Monongahela Wharf.

[C. C. No. 44.] Report of Committee on Printing.

[C. C. No. 45.] Report of Committee on Railroads.

[C. C. No. 46.] Report of Committee on Appeals.

In C. C. severally read and accepted.

[C. C. No. 5.] Resolution for a warrant in favor of John O'Keefe, assignee of H. Freyvogel.

[C. C. No. 48.] Resolution exonerating over-assessed taxes.

[C. C. No. 47.] Resolution for refunding of overpaid taxes.

[C. C. No. 54.] Resolution requesting the Legislature to pass an Act providing for the assessment and collection of the cost of improving the streets under the Penn Avenue Act.

In C. C. severally read three times and passed.

[C. C. bill, No. 2.] An Ordinance vacating Hill street, from Brownsville avenue to Bailey's line.

[C. C. bill, No. 12.] An Ordinance authorizing the opening of Forty-seventh street, from the south side of the A. V. R. R. to the north side of the A. V. R. R.

[C. C. bill, No. 13.] An Ordinance authorizing the assessment of damages and benefits caused by the grading of Locust street, from Shingiss street to Miltenberger street.

[C. C. bill, No. 15.] An Ordinance authorizing the construction of a boardwalk on Knox avenue, from Brownsville avenue to city line.

In C. C. severally read three times and passed.

Mr. **Shipton**, from the Finance Committee, Affirmatively, as amended in Committee,

[S. C. bill, No. 31.] An Ordinance entitled "An Ordinance levying taxes, assessing water rents and making appropriations for the year 1877."

AN ORDINANCE,

Levying Taxes, Assessing Water Rents, and Making Appropriations for the Year 1877.

SECTION 1.—Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby enacted by the authority of the same, That for the purpose of providing sufficient revenue to meet the ordinary expenses of the city, to pay the interest on outstanding bonds, and to discharge all other liabilities now due, or which may become payable during the year 1877, taxes shall be and are hereby levied and assessed upon all property and other objects of taxation, as follows:

1. **City Tax.**—Upon all property taxable for State or county purposes, eight and 4-10 mills upon each dollar of valuation, except the property in said city designated as rural, upon which the tax shall be assessed at two-thirds of said rate, and upon all property designated as agricultural, the tax shall be assessed at one-half of said rate.

2. **Fire Tax.**—Upon all property taxable for State or county purposes, one and 3-10 mills upon each dollar of valuation, except the property in said city designated as rural, upon which the tax shall be assessed at two-thirds of said rate, and upon all property designated as agricultural, the tax shall be assessed at one-half of said rate.

3. **Water Works Interest Tax.**—Upon all property taxable for State or county purposes, one and 8-10 mills upon each dollar of valuation, except the property in said city designated as rural, upon which the tax shall be assessed at two-thirds of said rate, and upon all property designated as agricultural, the tax shall be assessed at one-half of said rate.

4. **Sinking Fund Tax.**—Upon all property taxable for State or county purposes, one mill upon each dollar of valuation, except the property in said city designated as rural, upon which the tax shall be assessed at two-thirds of said rate, and upon all property designated as agricultural, the tax shall be assessed at one-half of said rate.

5. **Old City Special Tax.**—Upon all property taxable for State or county purposes within the limits of the City of Pittsburgh, as it existed prior to the consolidation, under the Act of April, 1867, 8-10 of one mill upon each dollar of valuation, as a special tax for the separate indebtedness of said district.

6. **South Side Special Tax.**—Upon all property taxable for State or county purposes within the limits of the former borough of East Birmingham, two and one-half mills; Mt. Washington, one mill; Temperanceville, three mills, and four mills to pay annual installments on bonds issued since consolidation, for grading and paving Main street in said borough; Birmingham, one mill, to redeem bonds and pay interest on same, issued since consolidation, for grading and paving, under old borough laws.

7. Upon all goods, wares and merchandise, and upon all articles of trade and commerce sold in said city in any manner, not herein otherwise provided for, one and one-half mills upon each dollar of sales.

8. Upon all sales of goods, wares and merchandise, and articles of trade or commerce sold by commission merchants in said city, one and one-half mills upon each dollar of said sales.

9. Upon the actual yearly sales of each and every person or firm engaged in the trade, business or occupation of retailing for his, her, or their benefit, vinous, fermented or distilled liquors, ten mills on each dollar of said sales.

10. Upon the actual yearly sales of each and every person or firm engaged in the business or occupation of an auctioneer, two mills upon each dollar of said sales.

11. Upon the gross commission or brokerage of all merchandise brokers, forwarding and commission merchants, not including commissions on sales, fifteen mills on each dollar of said commissions.

12. Upon the average line of discounts of brokers, banks, and banking institutions, one mill on each dollar.

13. Upon the gross receipts of express companies and telegraph companies, three mills upon each dollar of said receipts.

14. Upon the gross receipts of persons engaged in the business of keeping billiard tables, ten-pin alleys or bagatelle tables for public use, fifteen mills upon each dollar of said receipts.

SECTION 2.—And at the above rates the City Assessor shall assess said taxes.

SECTION 3.—And at the following rates the Water Assessor shall assess water rents:

First.—The schedule of water rents for the year 1877, shall be the same as 1876.

SECTION 4.—That the amount necessary to pay the interest on the separate indebtedness of the old city and the South Side boroughs, shall be taken from the receipts from the special taxes of the districts aforesaid, and placed in Appropriation No. 1, on which warrants shall be drawn for all interest accruing or accrued on the debts of said districts, respectively.

SECTION 5.—That the balance of said receipts from said special taxes (after payment of interest) shall be paid into a sinking fund for the district from which it is collected, and shall be used for the payment of the special debt of said district.

SECTION 6.—That the revenue of said city for the year 1877, arising from the taxes, loans, and all other sources, together with any moneys in the treasury not otherwise appropriated, are hereby appropriated for the following purposes:

Estimated Expenditures and Receipts for 1877.

APPROPRIATIONS FOR 1877.

1. Interest, Premium and Tax on City Loan.....	\$217,354 50
Interest on Penn Avenue Debt.....	448,933 50
2. Salaries.....	\$666,288 00
3. Printing.....	39,230 00
4. Fire Department.....	6,000 00
5. Police Department.....	123,850 00
6. Water Works Department.....	150,000 00
7. Street Department.....	90,000 00
8. Pittsburgh Gas Company.....	83,000 00
9. Markets.....	23,940 00
10. Monongahela Wharf.....	10,500 00
11. Allegheny Wharf.....	2,000 00
12. City Weigh Scales.....	750 00
13. Contingent Fund.....	500 00
14. Board of Health.....	17,000 00
15. East End Gas Company.....	12,000 00
16. City Property.....	18,840 00
17. Finance Fund.....	4,000 00
18. Sinking Fund.....	13,933 00
19. City Hall, Cleaning and Observatory Time.....	34,500 00
20. Roads.....	5,000 00
21. Water Loan Interest.....	15,000 00
22. Water Loan Sinking Fund.....	309,288 00
23. South Side Wharf.....	90,000 00
24. Board of Assessors Department.....	900 00
25. South Side Gas Company.....	10,000 00
26. Fire Department Loan, Interest and Sinking Fund.....	11,940 00
27. West Pittsburgh Gas Company.....	24,000 00
28. Repaving Fund.....	5,280 00
29.	6,000 00

\$1,763,739 00

ESTIMATED RECEIPTS FOR 1877.

City Tax, value	\$81,000,000.00,
full rate, 8 4-10	
mills.....	\$680,400 00
City Tax, Rural,	\$36,000,000.00,
3/4 rate, 5 6-10	
mills.....	201,600 00
City Tax, Agri-	\$6,-
cultural, 1 2-10	
rate, 4 2-10	
mills.....	25,200 00
Less 12 1/2 per cent. for dis-	
counts, and lost and Exon-	
erated Taxes.....	\$907,200 00
	113,400 00
	\$793,800 00
Water Works Int.	
Tax, \$81,000,000,-	
00, full rate, 1 8-10	\$145,800 00
Water Works Int.	
Tax, \$36,000,000,-	
00, 3/4 rate, 1 2-10	
mills.....	43,200 00
Water Works Int.	
Tax, \$6,000,-	
000.00, 1/2 rate,	
9-10 mills.....	5,400 00
Less 12 1/2 per cent. for dis-	
counts, &c.....	\$194,400 00
	24,300 00
	170,100 00
Fire Tax, \$81,000,-	
000.00, full rate, 1	
3-10 mills.....	\$105,300 00
Fire Tax, \$36,000,-	
000.00, 3/4 rate,	
13-15 mills.....	31,200 00
Fire Tax, \$6,000,-	
000.00, 1/2 rate,	
13-20 mills.....	3,900 00
Less 12 1/2 per cent. for dis-	
counts, &c.....	\$140,400 00
	17,550 00
	122,850 00
Sinking Fund	
Tax, \$81,000,-	
000.00, full rate,	
1 mill.....	\$81,000 00
Sinking Fund	
Tax, \$36,000,-	
000.00, 3/4 rate,	
2 1/2 mills.....	24,000 00
Sinking Fund	
Tax, \$6,000,-	
000.00, 1/2 rate,	
5-10 mills.....	3,000 00
Less 12 1/2 per cent. for dis-	
counts, &c.....	\$108,000 00
	13,500 00
Business Tax.....	94,500 00
Water Rents.....	150,000 00
Monongahela Wharf.....	290,000 00
Allegheny Wharf.....	11,000 00
South Side Wharf.....	3,000 00
Mayor's Office.....	3,000 00
Diamond Markets.....	25,000 00
Fifth Avenue Markets.....	40,000 00
South Side Markets.....	2,000 00
City Gauger.....	6,500 00
Vehicle Licenses.....	2,500 00
Street Railroads.....	25,000 00
Building Inspector.....	3,704 00
Interest on Bank Balances.....	1,500 00
Streets.....	6,000 00
City Scales.....	8,000 00
Miscellaneous.....	4,000 00
	1,289 00

\$1,763,739 00

Old City and South Side Separate Indebtedness.

Old City Special Tax, Debt and Interest.....	\$32,900 00
Boro of East Birmingham, Debt and Interest.....	10,930 00
Boro of Birmingham, Debt and Interest.....	2,880 00
" Mt. Washington, Debt and Interest.....	1,575 00
" Temperanceville, Installment Bo'ds } for Main St. Bo'ds }	5,880 00

\$54,165 00

Old City Special, val., \$47,000,-	\$37,600 00
000.00@8-10 mill	4,700 00—\$32,900 00
Less 12½ per ct. for discounts,	
&c., &c.	12,500 00
Boro of East Birmingham, val.,	
\$5,000,000.00@2½ mills.....	1,570 00—10,930 00
Less 12½ per ct. for discounts,	
&c., &c.	3,300 00
Boro of Birmingham, val., \$3,-	
300,000.00@1 mill.....	420 00—2,880 00
Less 12½ per ct. for discounts,	
&c., &c.	1,800 00
Boro of Mt. Washington, val.,	
\$1,800,000.00@1 mill.....	225 00—1,575 00
Less 12½ per ct. for discounts,	
&c., &c.	\$2,880 00
Bor. Temperanceville,	
val., \$960,000.00@	
3 mills.....	\$3,840 00—6,720 00
Bor. Temperanceville,	
val., \$960,000.00@	
4 mills.....	840 00—5,880 00
Less 12½ per cent. for discounts, &c., &c...	

\$54,165 00

Which was read.
Mr. Shipton moved
 That the rule be suspended to allow the second reading of the bill.
 Which motion prevailed.
 And the rule having been suspended,
Mr. Holliday moved
 The second reading of the bill, item by item.
 Which motion prevailed.
 Item one, section one,
 Was read.
Mr. Duff moved
 To amend by substituting four mills, for eight and four-tenths mills.
Mr. Shipton moved
 To reconsider action on the motion for the second reading of the bill.
 Which motion prevailed.
 And the question recurring on the motion for the second reading,
 It was decided in the negative.
Mr. Shipton, by leave, called up,
 [C. C. No. 54.] A resolution requesting the Legislature to pass an Act providing for the assessment and collection of the cost of the improvement of streets under the Penn Avenue Act.
 Which was read.
Mr. McCandless moved
 The suspension of the rules to allow the third reading and final passage of the resolution.
 Which motion prevailed.
 And the resolution was read a second time.
Mr. Evans moved
 To refer to the City Attorney, with instructions to prepare an Act in accordance with the resolution.
Mr. Powers moved
 For the previous question.
 And the motion having been sustained, was ordered.
 And the resolution was read a third time and passed.
Mr. Shipton moved
 The second reading of S. C. bill, No. 31, an Ordinance entitled "An Ordinance levying taxes, assessing water rents and making appropriations for the year 1877," item by item.
 Which motion prevailed.
 Item one, section one,

Was read.
Mr. Duff moved
 To amend by striking out the words "eight and four-tenths mills," and inserting the words "four mills."
 Upon which motion a division was had, and there were twenty-nine ayes and twenty-eight noes.
 So the motion prevailed.
Mr. Darlington moved
 That the item, as amended, be agreed to.
 On which motion the ayes and noes were demanded by Mr. Herron, and the demand having been sustained the ayes and noes were ordered to be taken, and were:
 Ayes—Messrs. Ahl, Bradley, Buckley, Burns, Chambers, Dannals, Darlington, Duff, Felker, Fox, Gray, Garrison, Hoeh, Holliday, Kelly, Kennedy, Kernan, Kerr, Lagerman, Lappan, Meyer, Moore (Wm.), McKinley, Nisbett, Noble, O'Donnell, Patterson, Rodgers, Reiman, Sawyer, Schild, Schwarm, Sorg, Sterling, Taylor—35.
 Noes—Messrs. Atkinson, Baum, Boyd, Brown (L. T.), Bruce, Evans, Foster (Alex. W., Jr.), Foster (W. S.), Fullerton, Gourley, Griffith, Herron, Holmes, Lambie, Littell, Moore (W. J.), McCandless, McClurg, Nantker, Negley, O'Neill (Eugene M.), Powers, Rolfe, Shipton, Vierheller, Watson, Welsh, Aiken—28.
 So the motion prevailed, and the item, as amended, was agreed to.
 Item two, section one,
 Was read.
Mr. Holliday moved
 To reconsider action on the motion for the second reading of the bill.
 On which motion a division was had, and there were twenty ayes and five noes.
 So the motion prevailed.
 And the question recurring on the motion for the second reading of the bill, it was decided in the negative.
Mr. Kerr asked for the reading of the following papers referred this day to Committee on Retrenchment and Reform:
 [83.] An Ordinance fixing salaries of certain city officials.
 [84.] An Ordinance fixing the compensation to be paid the employees of the Fire Department.
 [85.] An Ordinance fixing the wages to be paid to certain employees of the Road and Street Committee.

[86.] An Ordinance fixing the number of the Police Force of the City of Pittsburgh.

Which were read.

Mr. **Shipton** moved

The second reading of S. C. bill No. 31, entitled "An Ordinance levying taxes, assessing water rents, and making appropriations for the year 1877," item by item.

Which motion prevailed,

And items one and two, section one,

Were read and agreed to.

Item three, section one,

Was read.

And on the question, "Shall the item, as read, be agreed to?" a division was had, and there were thirty-five ayes and twenty noes. So the item, as read, was agreed to.

Items four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen and fourteen were read and agreed to.

And on the question, "Shall section one, as read, be agreed to?" a division was had, and there were twenty-four ayes and twenty-four noes.

Before the announcement of the vote,

Mr. **Darlington** demanded the ayes and noes on the question, and the demand being sustained the ayes and noes were ordered to be taken, and were:

Ayes—Messrs. Ahl, Atkinson, Baum, Boyd, Brown (L. T.), Bruce, Carr, Evans, Foster (A. W., Jr.), Foster (W. S.), Gourley, Griffith, Holmes, Herron, Kennedy, Kerr, Lambie, Lappan, Littell, Moore (W. J.), Moore (Wm.), McCandless, McClurg, McKinley, Nantker, Negley Nisbett, O'Neill (Eugene M.), O'Donnell Rolfe, Shipton, Sterling, Vierheller, Watson, Welsh, Aiken—36.

Noes—Messrs. Bradley, Buckley, Burns, Chambers, Dannals, Darlington, Duff, Felker, Fox, Garrison, Gray, Hoeh, Kelly, Kernan, Lagerman, Meyer, Noble, Patterson, Reiman, Rodgers, Sawyer, Schild, Schwarm, Sorg, Taylor—25.

So the motion prevailed, and the section, as read, was agreed to.

Section two was read and agreed to.

Section three was read and agreed to.

Section four was read and agreed to.

Section five was read and agreed to.

Item one, section six, was read.

Mr. **Darlington** moved

To amend by striking out "interest on Penn avenue debt, \$448,933.50."

On which motion a division was had, and there were twenty-seven ayes, and twenty-six noes.

So the motion prevailed, and the section was so amended.

And the item, as amended, was agreed to.

Items two, three, four, five, six, seven, eight, nine, ten, eleven, twelve and thirteen, section six, were read and agreed to.

Item fourteen, section six,

Was read.

Mr. **Dannals** moved

To amend by taking one thousand dollars from item fourteen, and applying it to item nine.

Which did not prevail.

Mr. **Buckley** moved

To amend by fixing the amount appropriated by item fourteen to Board of Health, at \$10,000.

Which did not prevail.

And the item, as read, was agreed to.

Items fifteen and sixteen, section six, were read and agreed to.

Item eighteen, section six, was read.

And on the question, "Shall the item, as read, be agreed to?" a division was had, and there were thirty-eight ayes and two noes.

So the motion prevailed, and the section, as read, was agreed to.

Items nineteen and twenty-one, section six, were read and agreed to.

Item twenty-two, section six,

Was read.

Mr. **Bruce** moved

To increase the item to \$20,000.

Mr. **Evans** moved

To amend the amendment by increasing the amount to \$25,000.

Which was accepted.

And on the question, "Shall the amendment prevail?" a division was had, and there were sixteen ayes and thirty noes.

So the motion was negatived.

Mr. **O'Neill (E. M.)**, moved

That the item be amended by increasing the amount to \$20,000.

On which motion a division was had, and there were sixteen ayes and twenty-eight noes.

So the motion was negatived.

And the item, as read, was agreed to.

Items twenty-five, twenty-six, thirty-two, thirty-four, thirty-five and thirty-six, section six,

Were read and agreed to.

Item thirty-eight, section six,

Was read.

Mr. **Buckley** moved

To amend by fixing the amount at \$6,500.

Which did not prevail,

And the item, as read, was agreed to.

Item thirty-nine, section six,

Was read and agreed to.

Mr. **Darlington** moved

To adjourn until to-morrow at two o'clock, P. M.

On which motion a division was had, and there were fifteen ayes and thirty noes.

So the motion did not prevail.

Mr. **Hoeh** moved

To reconsider action on motion to amend item one of section six.

On which motion a division was had, and there were twenty-four ayes and twenty-one noes.

So the motion prevailed.

And the question recurring on the motion to amend, a division was had, and there were twenty ayes and twenty-nine noes.

So the motion did not prevail,

And the item, as read,

Was agreed to.

And section six was read and agreed to.

And the title was read and agreed to.

Mr. **Shipton** moved

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

Mr. **Shipton** moved the third reading and final passage of the bill.

Which motion prevailed.

And the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atkinson, Baum, Bradley, Bruce, Buckley, Burns, Carr, Chambers, Dannals, Darlington, Evans, Foster (Alex. W., Jr.), Foster (W.S.), Fox, Gourley, Griffith, Herron, Hoeh, Holliday, Holmes, Kelly, Kernan, Kerr, Lambie, Lappan, Littell, Meyer, Moore (Wm.), Moore (W. J.), McCandless, McClurg, McKinley, Nantker, Negley, Nisbett, O'Donnell, Powers, Rodgers, Rolfe, Schild, Schwarm, Shipton, Sorg, Sterling, Watson, Welsh, Aiken—47.

Noes—Mr. Duff—1.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. **Rolfe** presented

[95.] A petition for the erection of a gas lamp in the front of Thirtieth Ward Public School House.

Which was referred to Committee on Gas Lighting.

Mr. **Moore (W. J.)**, presented,

[96.] An Ordinance for the construction of a boardwalk on Cassatt and Crescent streets, from Cliff street to stairway on line of Seventeenth street, produced.

Which was referred to Street Committee.

And, on motion, Council adjourned.

COMMON COUNCIL.

W. B. NEGLEY.....PRESIDENT.

GEORGE BOOTH.....CLERK.

PITTSBURGH, February 26th, 1877.

Council met.

Present—Messrs. Aull, Belfore, Blume, Dierst, Forsythe, Frauenheim, French, Fennerty, Gallisath, Gallagher, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kirchner, Kohne, Miller, Manning, McClarran (R. M.), McClarran (Newton), McCafferty, Nantker, Neeb, O'Donnell, Pier, Rahausen, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Weisser, Young, Negley, President.

Absent—Messrs. Egan, Foley and Hogle.

The minutes of the meeting of February 12th, were read and approved.

The **Chair** presented

[No. 49.] Certificate of B. F. Kennedy, Prothonotary of the Courts of Common Pleas, No. 1 and 2, of Allegheny county, certifying the election of Thos. J. Bigham, as member of Common Council, to fill the unexpired term of C. A. Boucher, resigned, 32d ward.

Also,

[No. 50.] Certificate of B. F. Kennedy, Prothonotary of the Courts of Common Pleas, No. 1 and 2, of Allegheny county, certifying the election of Robert McKinley, as member of Common Council, to fill the unexpired term of Jas. W. Campbell, resigned, from the 17th ward.

Which were severally read and received.

And Messrs. Thos. J. Bigham and Robert McKinley, being present, took the oath of office, which was administered to them by the President.

Mr. **Higgins**, presented the following:

[No. 51.] Resolved, That the chiefs of the several departments be requested to submit to the committee of Retrenchment and Reform, at their next regular meeting, the number of persons, their respective employment, and the amount of salary paid to each, and whether said salaries are fixed by Act of Legislature, or by the City Councils. Also, what reduction can be made in the number of employees, and in the amount of salaries now paid.

Which was read.

And on motion of Mr. **Neeb**,

Was passed finally.

Mr. **Thomson** presented

[52.] Petition of S. S. Marvin, for privilege to build vault in Exchange alley.

Which was referred to the Committee on Streets.

Also,

[53.] An Ordinance granting to S. S. Marvin & Co. the privilege to construct and maintain a vault under Exchange alley.

Referred to the Committee on Streets.

Also,

[54.] Whereas, The Supreme Court of Pennsylvania have decided, in the case of Seely, vs. the city of Pittsburgh, that the mode provided by what is known as the Penn Avenue Act, for the assessment of the cost of grading and paving of the streets constructed under the said Act, is unconstitutional, and that the said cost should be assessed on the properties benefited by the construction of said streets;

And whereas, Additional Legislation is necessary to provide for the proper assessment and collection of the cost of the grading and paving of said streets, therefore,

Resolved, That the members of the Legislature from this city are hereby requested to offer in the Legislature, and urge the passage of an Act of Assembly, providing for the re-assessment and collection of the cost of grading and paving of all streets constructed

under authority of the Penn avenue Act, and its supplements, on the properties benefited by the construction of said streets, in accordance with the principles announced in the said decision of the Supreme Court; and they are further requested to use all proper means in their power to have such Act passed at this session of the Legislature.

And it is further Resolved, That a copy of the foregoing resolutions be immediately forwarded by the Clerks of Councils, to each of the members of the Legislature from this city.

Which was read.

And the rule was suspended for the final passage of the resolution.

Mr. **Pier** moved

To refer the resolution to the Committee on Legislation.

Which did not prevail.

And the resolution was read a third time and finally passed.

Also,

[55.] Resolved, That the City Attorney is hereby directed to report to the next meeting of the Common Council the form of an Act of Assembly, to be recommended to the Legislature for passage, providing for the re-assessment of the cost of grading and paving of all streets constructed under the Penn Avenue Act, and its several supplements, on the properties benefited by the construction of said streets, in accordance with the principles announced by the Supreme Court of Pennsylvania, in their decision in the case of Seely, vs. the city of Pittsburgh, and, also, providing for the collection of said assessment, when made.

Which was read three times and finally passed, the rule having been suspended.

Mr. **Rea**, presented the following:

[56.] Whereas, In consideration of the depressed condition of the City's finances, and the heavy taxation necessary to meet the current expenses, and the necessity of completing one pair of engines at the new water works, during the present year, that economy be observed in every possible way, therefore, be it

Resolved, That the Water Committee be requested to rescind their resolution passed at recent meeting, appropriating the sum of five hundred dollars for plans of engine house at the new water works.

Resolved, That in consideration of the skill now in the employ of the city, that we deem it inexpedient to let by contract what can be done by those now in the employ of the city.

Resolved, That the Mechanical Engineer, City Engineer and City Building Inspector, be requested to prepare the necessary plans and specifications and supervise the same during construction, without expense to the city.

Which was read.

And the rule having been suspended, the resolution was read a second and third time, and finally passed.

Mr. **Fennerty** presented

[57.] Petition of W. A. Kingan, for abatement of over assessed taxes, 20th ward.

Referred to Board of Assessors.

Also,

[58.] Petition of John M. Kaltenheiser, for reduction of valuation, 14th ward.

Referred to Board of Assessors.

Also,

[59.] Petition of Mary Ludolf, for exoneration from payment of taxes, 6th ward.

Referred to the Committee on Appeals.

Mr. **McCafferty** presented

[60.] An Ordinance establishing the grade of Harrison street, between Fifty-first and Fifty-second streets.

Referred to the Committee on Surveys.

Mr. **Nantker** presented

[61.] Petition for two gas lamps on Manor street, 30th ward.

Referred to the Committee on Gas Lighting.

The **Chair** presented the following :

[62.] Pennsylvania Railroad.

Office of General Agent and Superin-
tendent, Pittsburgh Division.
Pittsburgh, Pa., February 16th, 1877.

*To the President and Members of Common Council,
of the City of Pittsburgh.*

Gentlemen.—I am instructed by the Pennsylvania R. R. Co. to say that the work of building the Thirty-third street bridge, which was commenced by them, was subsequently deferred in accordance with a resolution passed by you, duly transmitted to the Company, that the Company are unwilling longer to postpone the building of the bridge, and propose to carry out the terms of their contract with the city, by the speedy commencement and prosecution of the work. Before proceeding, the Company would be pleased to have from you any communication you desire to make on the subject.

Respectfully,

ROBERT PITCAIRN,

Gen'l. Agt. and Supt.

Which was read and referred to the Committee on Streets.

Also,

[63.] A communication from Francis Sellers, dedicating to public use the ground for Evans avenue, between Fifth avenue and Arabella street, 20th ward.

Which was read, received and ordered to be filed.

Also,

[64.] A communication from Francis Sellers, dedicating to public use the ground for Harrison street, between Shady Lane and Evans avenue, 20th ward.

Which was read, received and ordered to be filed.

Also,

[65.] A communication from Francis Sellers, dedicating to public use the ground for Harrison street, between Shady Lane and Evans avenue.

Which was read, received and ordered to be filed.

Mr. **Aull** presented the following :

[66.] Whereas, A great saving can be made to the city of Pittsburgh by reducing the heavy rates of interest now being paid on our bonded indebtedness, therefore,

Resolved, That the Finance Committee be instructed to examine and report where under existing laws a funding of the bonded indebtedness can be made, and if there is no existing law to justify such course, said committee report to these Councils a draft of an Act of Assembly providing for the same.

Which was read.

And the rule having been suspended, was read a second and a third time and finally passed.

The Clerk of Select Council being introduced, announced the following business from Select Council for concurrence:

[58, S. C.] Report from the Committee on Water, covering a statement of their expenditures for the month of January.

S. C. February 12th, read and accepted.

In which action C. C. concurred.

[59, S. C.] Report from the Committee on Water, covering a statement of their expenditures for December, 1876.

S. C. February 12th, read and accepted.

In which action C. C. concurred.

[60, S. C.] Report from the Committee on Markets, for January.

S. C. February, read and accepted.

In which action C. C. concurred.

[61, S. C.] Report from the Committee on Gas Lighting, announcing their organization.

S. C. February 12th, read and accepted.

In which action C. C. concurred.

[62, S. C.] Report from the Committee on Ordinances, announcing their organization.

S. C. February 12th, read and accepted.

In which action C. C. concurred.

[63, S. C.] Report from the Committee on Roads for the month of January.

S. C. February 12th, read and accepted.

In which action C. C. concurred.

[64, S. C.] Report from the Committee on Legislation, reporting organization and S. C. Resolution, No. 65.

S. C. February 12th, read and accepted.

In which action C. C. concurred.

[66, S. C.] Report of Committee on City Property, for January.

S. C. February 12th, read and accepted.

In which action C. C. concurred.

[14 C. C.] Entitled "An Ordinance authorizing the assessment of damages and benefits caused by the grading of Ridge street, from Thirty-third street to Roup street.

In S. C. February 12th, passed finally.

Which was read,

And the rule having been suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were :

Ayes—Messrs. Aull, Belfore, Bigham, Blume, Dierst, Forsythe, Frauenheim, French, Fennerty, Gallisath, Gallagher, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kirchner, Kohne, Miller, Manning, McClarran (R. M.), McClarran (Newton), McCafferty, McKinley, Nantker, Neeb, O'Donnell, Pier, Rahausen, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Weisser, Young, Negley—40.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

[No. 1, S. C.] Entitled "An Ordinance fixing the price to be paid by the city to the East End Gas Company, for gas furnished to and consumed by said city."

In S. C. February 12th, passed finally.

Which was read,

And the rule having been suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were :

Ayes—Messrs. Aull, Belfore, Bigham, Blume, Dierst, Forsythe, Frauenheim, French, Fennerty, Gallisath, Gallagher, Higgins, Hanlon, Hogle, Johnston, Kinzer, Kemler, Kirchner, Kohne, Miller, Manning, McClarran (R. M.), McClarran (Newton), McCafferty, McKinley, Nantker, Neeb, O'Donnell, Pier, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Weisser, Young, Negley—40.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

[No. 9, S. C.] Entitled "An Ordinance authorizing the assessment of the cost of construction of a bridge over Negley's run, on line of Lincoln avenue."

In S. C. February 12th, passed finally.

Which was read,

And the rule having been suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were :

Ayes—Messrs. Aull, Belfore, Bigham, Blume, Dierst, Forsythe, Frauenheim, French, Fennerty, Gallisath, Gallagher, Higgins, Hanlon, Hogle, Johnston, Kinzer, Kohne, Miller, Manning, McClarran (R. M.), McClarran (Newton), McCafferty, McKinley, Nantker, Neeb, O'Donnell, Pier, Rahausen, Rea, Schuman, Schwarm, Voskamp, Wainwright, Walker, Wamhoff, Weisser, Young, Negley—38.

Noes—Mr. Kemler.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

[52 S. C.] Resolution directing the City En-

gineer to survey and mark the lines of 35th ward.

In S. C., February 12th, passed finally.

Which, the rule having been suspended, was read three times and passed.

[65 S. C.] Resolved, that the Representatives from this District in the Legislature be and they are hereby requested to oppose the passage of the bill now before the Senate in relation to the collection of taxes, in its present shape, and that the bill be amended to provide that the first payment shall be made in May; a discount of five per cent. to be allowed for prompt payment; of ten per cent. for payment of all taxes assessed, and a penalty of five per cent. to be added for non-payment. The second payment to be made in August; five per cent. discount to be allowed for prompt payment, and a penalty of five per cent. to be added for non-payment.

In S. C., February 12th, passed finally.

Which was read.

Mr. **Bigham** moved

To amend by adding the following to the end of the resolution: "And that the Act of 18th April, 1873,

in relation to the collection of taxes in cities of the second class, be repealed."

Which prevailed.

Mr. **Rahausen** moved

To refer the resolution back to the Committee on Legislation.

Which did not prevail.

Mr. **Aull** moved

To reconsider the vote by which the amendment was agreed to.

Which prevailed, and

Mr. **Bigham**, by leave, withdrew the amendment.

And the question recurring on the passage of the resolution, the rule having been suspended, the resolution was read a third time, and finally passed.

Mr. **Neeb** moved

That Council do now adjourn, to meet to-morrow, Tuesday, February 27th, at 2 P. M.

Which prevailed,

And Council adjourned.

Municipal Record.

Proceedings of Select and Common Councils of the City of Pittsburgh.

VOL 10.

MONDAY, FEBRUARY 27, 1877.

No. 6.

Municipal Record.

COMMON COUNCIL.

W. B. NEGLEY.....PRESIDENT.

GEORGE BOOTH.....CLERK.

PITTSBURGH, February 27th, 1877.

Council met, pursuant to adjournment.

Present.—Messrs. Aull, Belfore, Bigham, Dierst, Forsythe, French, Fennerty, Gallisath, Higgins, Hanlon, Hogle, Johnston, Kinzer, Kemler, Kirchner, Kohne, Miller, Manning, McClarran (R. M.), McClarran (N.), McCafferty, McKinley, Nantker, Neeb, O'Donnell, Pier, Rahausser, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Weisser, Young.

Absent.—Messrs. Blume, Egan, Frauenheim, Foley, Gallagher and President Negley.

In the absence of the President, Mr. Thomson was called to the chair.

On motion of Mr. **Fennerty**,

The reading of the minutes was dispensed with.

The Clerk of Select Council being introduced, reported for concurrence, S. C. bill No. 31, entitled, "An Ordinance levying taxes, assessing water rents and making appropriations for the year 1877."

Which was read.

Mr. **Neeb** moved,

To suspend the rule for the consideration and third reading of the bill.

Which prevailed.

And the bill was read a second and third time.

Mr. **Aull** moved,

That the bill be considered item by item.

Which prevailed.

Section 1, item 1,

Was read.

Mr. **Aull** moved,

The adoption of item 1.

Mr. **Johnston** moved,

To amend item 1, by striking out the words "8 4-10 mills," and inserting the words "4 mills."

Mr. **Neeb** demanded the ayes and noes.

And the demand being sustained, the call was ordered, and were:

Ayes—Messrs. Bigham, Dierst, Forsythe, French, Fennerty, Gallisath, Higgins, Hanlon, Hogle, Johnston, Kemler, Kirchner, Miller, Manning, McCafferty, McKinley, Nantker, O'Donnell, Rea, Schuman, Schwarm, Thomson, Voskamp, Walker, Weisser, Young.—26.

Noes—Messrs. Aull, Belfore, Kinzer, Kohne, McClarran (R. M.), McClarran (N.), Neeb, Pier, Rahausser, Wainwright, Wamhoff.—11.

And the amendment prevailed.

And the item, as amended, was agreed to.

Items 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 were read and agreed to.

And Section 1, as amended, was agreed to.

Section 2 was read and agreed to.

Section 3 was read and agreed to.

Section 4 was read and agreed to.

Section 5 was read and agreed to.

Section 6,

Appropriations,

Item 1,

Was read.

Mr. **Bigham** moved

To amend by striking out the words "Interest on Penn avenue debt, \$448,933.50."

On which Mr. **Aull** demanded the ayes and noes, and the demand being sustained, the call was ordered, and were:

Ayes—Messrs. Bigham, Dierst, Forsythe, French, Fennerty, Gallisath, Higgins, Hanlon, Hogle, Johnston, Kemler, Kirchner, Miller, Manning, McCafferty, McKinley, Nantker, O'Donnell, Rea, Schuman, Schwarm, Thomson, Voskamp, Walker, Weisser.—25.

Noes—Messrs. Aull, Belfore, Kinzer, Kohne, McClarran (R. M.), McClarran (Newton), Neeb, Pier, Rahausser, Wainwright, Wamhoff.—11.

Mr. Young declined to vote.

And the amendment prevailed, and the item, as amended, was agreed to.

Items 1, 3 and 4 were agreed to.

Item 5,

Was read.

Mr. **Neeb** moved

To amend by striking out the words "\$150,000.00," and inserting the words "\$160,000.00."

On which Mr. **Neeb** demanded the ayes and noes, and the demand being sustained, the call was ordered, and were:

Ayes—Messrs. Belfore, Dierst, Gallisath, Higgins, Hanlon, Hogle, Johnston, Manning, Nantker, Neeb, O'Donnell, Schuman, Thomson.—13.

Noes—Messrs. Aull, Bigham, Forsythe, French, Fennerty, Kinzer, Kemler, Kirchner, Kohne, Miller, McClarran (R. M.), McClarran (Newton), McCafferty, McKinley, Pier, Rahausser, Rea, Schwarm, Voskamp, Wainwright, Walker, Wamhoff, Weisser, Young.—24.

Before the announcement of the result, Mr. McClarran (R. M.), asked and obtained leave to change his vote from no to aye.

And the ayes were 14 and the noes were 23.

So the amendment did not prevail, and item 5 was agreed to.

Items 6, 7, 8, 9, 10, 11, 12 and 13 were agreed to.

Item 14,

Was read.

Mr. **Neeb** moved

That the item be agreed to.

Mr. **Kirchner** moved

To amend by striking out the words "\$12,000.00," and inserting the words "\$3,000.00."

Mr. **Pier** moved

To amend the amendment by striking out the words "3,000.00," and inserting the words "\$10,000.00."

Which did not prevail.

And the question recurring on the amendment,

A division of the vote was had, and the ayes were 14, noes 15.

So the amendment did not prevail.

Mr. **Bigham** moved

To amend by striking out the words "\$12,000.00," and inserting the words "\$8,000.00."

On which a division of the vote was had, and the ayes were 14 and the noes were 15.

So the amendment did not prevail.

And item 14 was agreed to, on a division of the vote, by 17 ayes to 13 noes.

Items 15, 16, 18, 19 and 21, were read and agreed to.

Item 22,

Was read.

Mr. **Kohne** moved

To amend by striking out the words "\$15,000.00," and inserting the words "\$25,000.00."

Which did not prevail.

And item 22 was agreed to.

Items 25, 26, 32, 34, 35, 36, 38 and 39 were severally read and agreed to.

And section 6, as amended, was agreed to.

And the Ordinance, as amended, was agreed to, and laid over, under the rules, to be printed.

Mr. **Aull** moved

That the rule be suspended to allow the taking up of other business in regular order.

Which prevailed.

Mr. **Wainwright** presented

[No. 67.] Entitled "An Act authorizing cities of the second class in this Commonwealth to increase their indebtedness the sum of three hundred thousand dollars, for use in the construction of new water works."

Which was read.

Mr. **Aull** moved

To postpone further action until the next meeting.

On which a division of the vote was had, and the ayes were 19 and the noes were 11.

So the motion to postpone prevailed.

SELECT COUNCIL BUSINESS.

[No. 89 S. C.] Resolution directing the City Attorney to apply to the proper authorities for an injunction to restrain the Commissioners for the improvement of Brownsville avenue from proceeding any further with the wall now in course of construction near Robinson's road.

In S. C., February 26, passed finally.

Which was read and passed.

Mr. **Fennerty** moved

That Council do now adjourn, to meet at 2 P. M. tomorrow, February 28th, for the further consideration of the appropriation bill.

Which motion prevailed, and

Council adjourned.

Municipal Record.

Proceedings of Select and Common Councils of the City of Pittsburgh.

VOL. 10. WEDNESDAY, FEBRUARY 28, 1877. No. 7.

Municipal Record.

COMMON COUNCIL.

W. B. NEGLEY.....PRESIDENT.
GEORGE BOOTH.....CLERK.

PITTSBURGH, February 28th, 1877.

Council met, pursuant to adjournment.

Present—Messrs. Aull, Belfore, Bigham, Blume, Dierst, Forsythe, Frauenheim, French, Gallisath, Higgins, Hanlon, Hogle, Johnston, Kemler, Kirchner, Kohne, Miller, Manning, McClarran (R. M.), McClarran (Newton), McCafferty, Nantker, Neeb, O'Donnell, Pier, Rahausen, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Weisser, Young, Negley.

Absent—Messrs. Egan, Fennerty, Foley, Gallagher, Kinzer and McKinley.

On motion of Mr. **Neeb**,

The reading of the minutes was dispensed with. Council proceeded to the consideration of S. C. bill No. 31, entitled "An Ordinance levying taxes, assessing water rents, and making appropriations for the year 1877."

In C. C. February 27, amended.

Which was read.

Mr. **Thomson** moved,

The final passage of the bill.

The chair called the attention of Council to the fact the bill carried a balance unappropriated of \$33,133.50.

Mr. **Neeb** moved,

That \$25,000.00 of the amount unappropriated be added to appropriation No. 5, Police.

Mr. **Bigham** arose to a point of order.

"That the bill being now on its final passage, no amendment would be in order."

The chair ruled the point well taken.

And on the question, "Shall the bill pass finally?" as amended, the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Bigham, Dierst, Forsythe, French, Gallisath, Higgins, Hanlon, Hogle, Johnston, Kemler, Kirchner, Miller, Manning, Neeb, O'Donnell, Rea, Schuman, Schwarm, Thomson, Walker, Wamhoff, Weisser, Young.—23.

Noes—Messrs. Aull, Belfore, Blume, Frauenheim, Kohne, McClarran (R. M.), McClarran (Newton), McCafferty, Nantker, Pier, Rahausen, Voskamp, Wainwright, Negley.—14.

Messrs. Aull and President Negley asked and obtained leave to have recorded the following:

"I vote no, because it strikes out the appropriation which provides for the payment of the interest on the bonds issued under the solemn covenants and agreements of the city of Pittsburgh."

Mr. **Neeb**, the following:

"I vote aye, for the reason that I would rather lose one appropriation than embarrass the city by having no appropriations at all."

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Mr. **Thomson** moved,

To adjourn.

Which did not prevail.

Mr. **Miller** presented,

[No. 69.] An Ordinance granting Libby Bros. right to erect an iron clad building.

Referred to Committee on Wooden Buildings.

Also,

[No. 70.] An Ordinance granting John Gilroy right to erect a frame building on Carson street, 34th ward.

Referred to Committee on Wooden Buildings.

Also,

[71.] An Ordinance granting Alex. Æ. McCandless the privilege to erect a frame building, 11th ward.

Referred to Committee on Wooden Buildings.

Mr. **Frauenheim** presented,

[No. 72.] Petition for the grading and paving of 34th street.

Referred to Committee on Streets.

Mr. **Wainwright** called up,

[No. 67, C. C.] Entitled "An Act authorizing cities of the second class to increase their bonded indebtedness to the amount of three hundred thousand dollars, for the completion of the new water works."

In C. C. February 27, read and action postponed.

Which was read.

Mr. **Aull** moved,

To strike out the words "six per cent." and insert the words "five per cent."

Mr. **Bigham** moved,

To amend the amendment by striking out the words "five per cent." and inserting the words "not to exceed six per cent."

Which prevailed.

And the amendment, as amended, prevailed.

And the bill, as amended, was approved.

Adjourned.

Municipal Record.

Proceedings of Select and Common Councils of the City of Pittsburgh.

VOL. 10.

MONDAY, MARCH 12, 1877.

No. 9.

Municipal Record.

SELECT COUNCIL.

DAVID AIKEN.....PRESIDENT
E. S. MORROW.....CLERK.

PITTSBURGH, March 12th, 1877.

Council met.

Present—Messrs. Atkinson, Barclay, Baum, Boyd, Bradley, Brown (L. T.), Bruce, Burns, Carr, Chambers, Dannals, Darlington, Duff, Evans, Foster (A. W., Jr.), Foster (W. S.), Fox, Fullerton, Garrison, Gray, Griffith, Hoch, Holliday, Holmes, Hunter, Kelly, Kennedy, Kerr, Lagerman, Lambie, Lappan, Littell, Meyer, Miller, Moore (W. J.), Moore (Wm.), McCandless, MacConnell, McClurg, McKinley, Nantker, Negley, Nisbett, Noble, O'Donnell, O'Neill (E. M.), O'Neil (John), Owens, Patterson, Powers, Reiman, Rodgers, Rolfe, Schild, Schwarm, Shipton, Sorg, Sterling, Taylor, Vierheller, Watson, Welsh, President Aiken.

Absent—Messrs. Ahl, Brown (S. S.), Buckley, Felker, Gourley, Herron, Kernan, Nusser, Sawyer.

The minutes of the meeting of February 26th were read and approved.

The reading of the minutes of March 2d was dispensed with.

Mr. **McCandless**, by leave, called up

[C. C. No. 67.] A draft of an Act of Assembly, authorizing cities of the second class in this Commonwealth to increase their indebtedness the sum of three hundred thousand dollars, for use in the construction of new water works.

In C. C. Feb. 27th, read and approved.

And moved

To concur in the action of Common Council.

Mr. **Duff** moved

To amend the bill by striking out the words, "that at the time of the creation of said loan, the Councils shall provide for the collection of an annual tax, sufficient to pay the interest and also the principal of the loan, within thirty years: And provided, also, That if the revenue from water works shall be sufficient, after the payment of the running expenses, and the payment of the interest and principal of previous loans, as provided for by Act of Assembly, the Councils shall appropriate such revenue to the payment of the interest and principal of the loan hereby authorized," and insert, in lieu thereof, the following: "That the interest on, and principal of all bonds issued by virtue of this Act, shall be payable out of the water rents."

Mr. **Shipton** rose to a point of order,

That the motion to concur having been made, the motion to amend the bill could not be entertained.

The **President** ruled,

That the point was well taken, and the motion to amend was not in order.

Mr. **Littell** rose to a point of order,

And asked the President to decide when the motion to amend would be in order, if not before the motion to concur had been acted on.

The **President** ruled,

That the motion to concur was the only one now in order, and if negatived, a motion to amend could then be made.

And on the motion to concur a division was had, and there were 28 ayes and 22 noes.

So the motion prevailed.

And the action of Common Council was concurred in.

Mr. **Nisbett**, by leave, presented the following:

[97.] Whereas, It appears that citizens of the old part of our city are very desirous of having each part of the city pay all municipal improvements, which they imagine is only a benefit to that section where they are made, and

Whereas, Last year streets were repaved in the old part of the city at great expense, and assessed in the general taxes, and

Whereas, At present all taxpayers are paying for the completion of the new water works, and

Whereas, The South Side of the city is not receiving any benefit from the old water works, and does not expect any from the new water works (if they should be completed,) and

Whereas, Taxpayers, in certain parts of the city, do not receive any benefit by being a part of the city, and are paying unjust taxes to help the old part of the city, therefore,

Resolved, That the City Attorney be requested to prepare an Act (and forward to the Legislature) affecting cities of the second class in such a way that taxes can only be levied and collected from the people who actually receive the benefits for which they are taxed and required to pay.

Which was read.

Mr. **Hunter** moved

To postpone action until next meeting.

Which motion prevailed.

Mr. **Duff** moved

To suspend the order of the day, to allow the consideration of S. C. Bill No. 31, "An Ordinance levying taxes, assessing water rents and making appropriations for the year 1877."

Which motion prevailed.

And Council proceeded to the consideration of the bill.

Mr. **Duff** moved

To concur in the action of Common Council.

On which motion the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Barclay, Bradley, Burns, Chambers, Dannals, Darlington, Duff, Foster (Alex. W., Jr.), Fox, Gray, Hoch, Holliday, Holmes, Kelly, Kerr, Lagerman, Lambie, Lappan, Meyer, Miller, Moore, (Wm.), Noble, O'Donnell, O'Neil, (John), Patterson, Reiman, Rod-

gers, Schild, Schwarm, Sorg, Sterling, Taylor, Vierheller—33.

Noes—Messrs. Atkinson, Baum, Brown (L. T.), Bruce, Carr, Evans, Foster (W. S.), Fullerton, Garrison, Griffith, Hunter, Littell, Moore (W. J.), McCandless, MacConnell, McClurg, McKinley, Nantker, Nisbett, Owens, Powers, Shipton, Watson, Welsh, Aiken—25.

And a majority of the votes of Select Council not being in the affirmative, the motion did not prevail.

Mr. **Shipton** presented

[98.] The annual report of the City Controller, for the fiscal year ending January 31st, 1877.

Which was received, and two hundred copies ordered to be printed in pamphlet form.

Mr. **O'Neil (Jno.)**, presented

[99.] Petition for a supply of water on Webster avenue, between Seventh avenue and Washington street.

Which was referred to the Water Committee.

Mr. **Sterling** presented

[100.] A petition for the laying of water mains on Perry street, between Webster and Bedford avenues.

Which was referred to the Water Committee.

Also,

[101.] A petition for water mains on Chauncey street, between Center avenue and John street.

Which was referred to the Water Committee.

Mr. **McKinley**,

[102.] A petition for the erection of two gas lamps on Thirty-fifth street, between Butler and Charlotte street.

Which was referred to the Committee on Gas Lighting.

Mr. **Baum**,

[103.] Petition of J. R. Fricke for refunding overpaid taxes.

Which was referred to the Board of Assessors.

Mr. **Bruce**,

[104.] A memorial from citizens of the 14th and 22d wards, setting forth that Boundary street, at its intersection with Forbes street, was rendered impassable by reason of the drainage from Forbes street, and asking Councils to take such action as may be needed for the abatement of the evil complained of.

Which was referred to the Road Committee.

Mr. **Duff** presented the following:

[105.] Resolved, That the Senate and House of Representatives of Pennsylvania be and are hereby requested to pass, at this session of the Legislature, House Bill No. 429 as reported from the Committee on Municipal Corporations, striking out of it, however, that part of the Ninth Section authorizing the collection of five per centum attorney's commissions for collection.

Which was read.

Mr. **Duff** moved

That the rule be suspended to allow the consideration of the resolution.

On which motion a division was had, and there were thirty-three ayes and thirteen noes.

So the motion did not prevail.

Mr. **Nisbett**, the following:

[106.] Whereas, Our Fire Commission have placed a hose company in the 32d ward engine house, for the purpose of fire protection for the South Side hill wards, and

Whereas, At present there is no way by which said company can be notified of a fire in the 31st ward, therefore,

Resolved, That the Fire Commission are hereby requested to extend the Fire Alarm Telegraph from 32d ward engine house to 31st ward.

Which was read and laid over, under the rule.

Mr. **Schwarm**,

[107.] Appeal of Henry Meyer for an abatement of taxes.

Which was referred to the Board of Assessors.

Mr. **McCandless**,

[108.] Report of the Water Committee cover-

ing expenditures, \$4,941.50, for the month of February.

Which was read and received.

Also, from the Water Committee.

[109.] A report from the City Attorney, in answer to resolution of February 15, requesting him to report what is still necessary to secure to the city such penalties as have already accumulated or may be hereafter incurred by delay on the part of the contractors for the new water works.

Which was read and accepted.

Also, from the same Committee,

[110.] A report from the Mechanical Engineer of the new water works in answer to resolution of Councils of February 15, for a report on the present status of the work, the least possible amount needed to get the new works in operation, and the amount of penalties incurred by the contractor for delay.

Which was read and received.

Also, from the same Committee,

[111.] A report from the City Engineer on the amount necessary for the completion of Hiland avenue and Herron's Hill Reservoirs, and the status of the work.

Which was read and received.

Also, the following:

[112.] Resolved, That the Water Committee be directed to go on and prosecute the work according to the contract.

Which was read.

Mr. **McCandless** moved

That the rule be suspended to allow the third reading and final passage of the resolution.

Which motion prevailed.

And the rule having been suspended, the resolution was read a second time and agreed to.

Mr. **McCandless** moved

That the resolution be read a third time and finally passed.

Which motion prevailed.

And the resolution was read a third time and finally passed.

Mr. **McCandless** moved

To suspend the order of the day, to allow the consideration of C. C. bill No. 8, an Ordinance authorizing the opening of Reservoir avenue, from River avenue to Hiland avenue reservoir.

Which motion prevailed.

And Council proceeded to the consideration of C. C. bill No. 8, an Ordinance entitled "An Ordinance authorizing the opening of Reservoir avenue, from River avenue to Hiland avenue reservoir."

Which was read.

Mr. **McCandless**,

[113.] A report from the Board of Viewers of Street Improvements, stating that property sufficient could be found, including the city property, to pay the cost of the improvement.

Which was read and accepted.

Mr. **McCandless** moved

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended, the bill was read a second time and agreed to.

And the title was read and agreed to.

And the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atkinson, Barclay, Baum, Bradley, Brown (L. T.), Bruce, Burns, Evans, Foster, (Alex. W. Jr.), Foster (W. S.), Fox, Fullerton, Garrison, Griffith, Hoeh, Holliday, Holmes, Hunter, Kennedy, Kerr, Lagerman, Lambie, Lappan, Littell, Meyer, Moore (W.), Moore (W. J.), McCandless, MacConnell, McClurg, McKinley, Nantker, Negley, Nisbett, Noble, Owens, O'Donnell, Patterson, Reiman, Rodgers, Rolfe, Schild, Schwarm, Shipton, Sorg, Sterling, Taylor, Vierheller, Watson, Welsh, Aiken—51.

Noes—Mr. Carr—1.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. **Hunter**.

[114.] Report from the Committee on City Property, covering a statement of the expenditures (\$370.00) for the month of February.

Which was read and accepted.

Mr. **Schwarm**.

[115.] Report from the Committee on Markets, covering a statement of receipts and expenditures for the month of February, viz: receipts, \$1,651.34, expenditures, \$2,134.85.

Which was read and accepted.

Mr. **Noble**,

From the Committee on Wooden Buildings, affirmatively, as committed,

[C. C. bill, No. 69.] An Ordinance entitled "An Ordinance granting Tibby Bros. right to erect an iron-clad building."

Which was read once.

Also, from the same Committee, affirmatively, as committed,

[C. C. bill, No. 70.] An Ordinance entitled "An Ordinance granting John Gilroy right to erect a frame building on Carson street, 34th ward."

Which was read once.

Also, from the same Committee, affirmatively, as committed,

[C. C. bill, No. 71.] An Ordinance entitled "An Ordinance granting A. E. McCandless right to erect a frame stable."

Which was read once.

Mr. **MacConnell**, from the Road Committee, [116.] A report covering a statement of the expenditures (\$683.71) for the month of February.

Which was read and accepted.

Also, from the same Committee, affirmatively, as committed,

[S. C. bill, No. 5.] An Ordinance entitled "An Ordinance authorizing the opening of Wayne street, from Stanton avenue to Hampton street."

Which was read once.

Mr. **MacConnell** moved

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended the bill was read a second time and agreed to.

And the title was read and agreed to.

Mr. **MacConnell** moved

That the bill be read a third time and finally passed.

Which motion prevailed.

And the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atkinson, Barckley, Baum, Brown (L. T.), Bruce, Chambers, Darlington, Evans, Foster (Alex. W. Jr.), Foster (W. S.), Fox, Garrison, Griffith, Hoeh, Holliday, Hunter, Kelly, Kerr, Lagerman, Lambie, Littell, Meyer, Miller, Moore (W.), McCandless, MacConnell, McClurg, McKinley, Nantker, Negley, Nisbett, O'Neil (John), O'Donnell, Owens, Reiman, Rolfe, Schild, Schwarm, Shipton, Sorg, Sterling, Taylor, Vierheller, Watson, Welsh, Aiken—45.

Noes—Messrs. Carr, Duff, Patterson—3.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Also, from the same Committee, affirmatively, as committed,

[S. C. bill, No. 14.] An Ordinance entitled "An Ordinance authorizing the Pittsburgh Gas Company to regrade, repave and recurb Second avenue, to conform to a change of grade on said avenue, as authorized by Ordinance."

Which was read.

Mr. **MacConnell** moved

That the rule be suspended to allow the third reading and final passage of the bill.

On which motion a division was had, and there were thirty-three ayes and eleven noes.

So the motion prevailed.

And the rule having been suspended, the bill was read a second time and agreed to.

And the title of the bill was read and agreed to.

Mr. **MacConnell** moved

The third reading and final passage of the bill.

Which motion prevailed.

And the bill was read a third time, and on the question "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atkinson, Barckley, Baum, Bradley, Brown (L. T.), Bruce, Carr, Chambers, Dannals, Darlington, Evans, Foster (W. S.), Fox, Fullerton, Griffith, Hoeh, Holliday, Holmes, Hunter, Kennedy, Kerr, Lagerman, Lappan, Littell, Meyer, Miller, Moore (W. J.), Moore (Wm.), McCandless, MacConnell, McKinley, Nantker, Negley, O'Donnell, O'Neil (John), Owens, Reiman, Rolfe, Schwarm, Shipton, Sorg, Sterling, Taylor, Vierheller, Watson, Welsh, Aiken—47.

Noes—Messrs. Duff, Kelly, Lambie, McClurg, Patterson, Rodgers, Schild—7.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. **MacConnell** moved

That the order of the day be suspended to allow the consideration of S. C. bill No. 13, an Ordinance changing the grade of Second avenue, between Murphy street and a point 1,603 feet east of the east curb of Murphy street.

Which motion prevailed.

And Council proceeded to the consideration of S. C. bill No. 13, an Ordinance entitled "An Ordinance changing the grade of Second avenue, between Murphy street and a point 1,603 feet east of the east curb of Murphy street."

Which, in S. C. February 12th, failed to pass finally for want of a legal majority.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atkinson, Barckley, Baum, Bradley, Brown (L. T.), Bruce, Carr, Chambers, Dannals, Darlington, Evans, Foster (W. S.), Foster (A. W.), Fullerton, Hoeh, Holliday, Hunter, Kennedy, Kerr, Lagerman, Lambie, Littell, Meyer, Miller, Moore (W. J.), Moore (Wm.), McCandless, MacConnell, McClurg, McKinley, Nantker, Negley, O'Donnell, O'Neil (John), Owens, Reiman, Rolfe, Schild, Schwarm, Shipton, Sorg, Sterling, Taylor, Watson, Aiken—47.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. **Kerr**.

[117.] A report from the Committee on Legislation, covering and recommending the passage of accompanying resolutions.

Which was read and accepted.

Also, from the same committee,

[118.] Resolved, That the members of the Legislature be and they are hereby requested to use all proper means to prevent the passage of "An act to repeal an act prescribing the manner in which cities, other than those of the first class, may pass ordinances authorizing the grading or paving of avenues, streets or alleys, and the construction of sewers or bridges, approved May 1, 1876," or to have the same so amended as to except cities of the second class.

Which was read and passed.

Also, from the same committee,

[119.] Resolved, That the members of the Legislature from this district be and they are hereby requested to use all proper means to secure the passage of an act defining the time when the Councils of cities of the second class shall make the annual tax levy and appropriations.

Which was read and passed.

The Clerk of Common Council being introduced, presented the following paper for concurrence:

[C. C. No. 75.] A resolution recommending the passage of House Bill No. 429, an act authorizing cities of the second class of this commonwealth to provide for the assessment of the cost of street improvements heretofore or hereafter made under authority of law.

Mr. **Holliday** moved.

That the rule be suspended, to allow the passage of the resolution,

On which motion a division was had, and there were 37 ayes and 15 noes.

Before the announcement of the vote

Mr. **Darlington** demanded the ayes and noes, and the demand having been sustained, they were ordered to be taken, and were:

Ayes—Messrs. Atkinson, Barclay, Bradley, Burns, Chambers, Dannals, Darlington, Duff, Evans, Foster (Alex. W., Jr.), Foster (W. S.), Fox, Garrison, Holliday, Hunter, Holmes, Kelly, Kerr, Lagerman, Lambie, Meyer, Miller, Moore (Wm.), McCandless, McClurg, Nantker, O'Donnell, O'Neil (John), Owens, Patterson, Reiman, Rolfe, Schild, Schwarm, Shipton, Sorg, Sterling, Taylor, President Aiken—39.

Noes—Messrs. Baum, Brown, (L. T.) Bruce, Carr, Fullerton, Griffith, Hoeh, Kennedy, Littell, Moore (W. J.), MacConnell, McKinley, Negley, Nisbett, Rodgers, Vierheller, Watson—17.

So the motion did not prevail.

Mr. **Atkinson**, by leave, called up S. C. Bill No. 31, an Ordinance entitled "An Ordinance levying taxes, assessing water rents, and making appropriations for the year 1877."

In Select Council motion to concur in action of Common Council failed for want of a legal majority.

Mr. **Atkinson** moved

To concur in the action of Common Council.

Mr. **Carr** rose to a point of order,

That before Select Council could concur in the action of Common Council, a motion to reconsider would be required, the motion to concur having already been negatived.

The **President** decided

That the motion to concur having previously failed for want of a legal majority, the bill was now before Council, under Section 6 of Rule 4, and a motion to reconsider was not necessary.

And the ayes and noes having been taken, according to law, on the motion to concur, were:

Ayes—Messrs. Atkinson, Barclay, Bradley, Burns, Chambers, Dannals, Darlington, Duff, Foster (Alex. W., Jr.), Fox, Hoeh, Holliday, Holmes, Kelly, Kerr, Lagerman, Lambie, Meyer, Miller, Moore (Wm.), McClurg, O'Donnell, O'Neil (John), Patterson, Reiman, Rodgers, Schild, Schwarm, Sorg, Sterling, Taylor, Vierheller—32.

Noes—Messrs. Baum, Brown (L. T.), Bruce, Carr, Evans, Foster (W. S.), Fullerton, Garrison, Griffith, Hunter, Kennedy, Littell, Moore (W. J.), McCandless, MacConnell, McKinley, Nantker, Negley, Nisbett, Owens, Rolfe, Shipton, Watson, Aiken—24.

And a majority of the votes of Select Council not being in the affirmative, the motion did not prevail.

The **President** submitted the following question to Council:

The Select Council having failed, for want of a legal majority, to concur in the action of Common Council, shall the bill be laid on the table, under Section 6 of Rule 4, or shall the Clerk message it to Common Council with the action of this branch, as provided by Section 3 of Rule 5?

Mr. **Lambie** moved

That the bill be laid on the table, under Section 6 of Rule 4.

Mr. **Hunter** moved

To amend by directing the Clerk to message the bill, in accordance with Section 3 of Rule 5.

On which motion a division was had, and there were 30 ayes and 23 noes.

Before the announcement of the result,

Mr. **Darlington** demanded the ayes and noes,

and the demand being sustained, were ordered to be taken, and were:

Ayes—Messrs. Baum, Bradley, Brown (L. T.), Bruce, Carr, Evans, Foster (W. S.), Fullerton, Garrison, Griffith, Hoeh, Holmes, Hunter, Kennedy, Kerr, Littell, Moore (W. J.), Moore (Wm.), McCandless, MacConnell, McKinley, Nantker, Negley, Nisbett, Owens, Rolfe, Shipton, Sorg, Watson, Aiken—30.

Noes—Messrs. Atkinson, Barclay, Burns, Chambers, Dannals, Darlington, Duff, Foster (Alex. W., Jr.), Fox, Holliday, Kelly, Lagerman, Lambie, Meyer, Miller, McClurg, O'Donnell, O'Neil (John), Patterson, Reiman, Rodgers, Schild, Schwarm, Sterling, Taylor, Vierheller—26.

So the motion to amend prevailed, and the motion was so amended.

And the motion, as amended, prevailed.

Mr. **Atkinson** moved

To adjourn.

Which motion prevailed.

And Council adjourned.

COMMON COUNCIL.

W. B. NEGLEY.....PRESIDENT.

GEORGE BOOTH.....CLERK.

PITTSBURGH, March 12th, 1877.

Council met.

Present—Messrs. Aull, Belfore, Bigham, Blume, Dierst, Egan, Forsythe, French, Fennerty, Gallagher, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kirchner, Kohne, Miller, Manning, McClarran (R. M.), McClarran (N.), McCafferty, McKinley, Nantker, Neeb, O'Donnell, Pier, Rahausen, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Wamhoff, Weissner, Young, Pres't. Negley.

Absent—Messrs. Frauenheim, Foley, Gallisath, Hogle and Walker.

The minutes of the previous meeting were read and approved.

Mr. **Higgins** presented

[73.] A remonstrance against the reduction of the pay of members of the Fire Department.

Which was read and received.

Mr. **Neeb** presented

[74.] A remonstrance against the reduction of the pay of members of the Fire Department.

Which was read and received.

Mr. **Thomson** presented the following:

[75.] Resolved, That the Senate and House of Representatives of Pennsylvania be and are hereby requested to pass, at this session of the Legislature, House bill No. 429, as reported to the House from the Committee on Municipal Corporations, striking out of it, however, that part of the 9th section authorizing the collection of five per cent. attorney's commission for collection.

Which was read.

Mr. **Thomson** moved

The suspension of the rule, to allow the consideration and final passage of the resolution.

Which prevailed.

And the resolution was read a second time.

And House bill No. 429, entitled, "An Act authorizing the councils of the cities of the second class of this Commonwealth to provide for the assessment of the cost of street improvements, heretofore or hereafter made, under authority of law," was read.

Mr. **Rahausen** moved

To postpone further action on the resolution until the next meeting.

Which, on a division being had, did not prevail, the

ayes being 10, and the noes being 23.

And the resolution was read a third time.

Mr. Thomson moved

The final passage of the resolution, on which he demanded the ayes and noes.

And the demand being sustained, the call was ordered, and was as follows:

Ayes—Messrs. Bigham, Dierst, Egan, Fennerty, Gallagher, Higgins, Hanlon, Johnston, Kemler, Kirchner, Kohne, Miller, Manning, Neeb, O'Donnell, Pier, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Wamhoff, Weissner, Young—25.

Noes—Messrs. Belfore, Blume, Forsythe, French, McClarran (R. M.), McClarran (N.), McCafferty, McKinley, Nantker, Pres't. Negley.—10.

Mr. Aull declined to vote, for the following reason:

Because I have had no opportunity to examine the bill as presented, and, while I am in favor of any measure by which a settlement of the Penn avenue indebtedness can be properly made, I am not prepared to vote until I have had time to satisfy myself it is properly framed.

Messrs. **Kinzer** and **Rahausner** also declined to vote.

And a majority of the votes of Common Council being in the affirmative, the resolution passed finally.

Mr. Manning presented

[76.] A remonstrance against the reduction of the pay of members of the Fire Department.

Which was read and received.

Also,

[77.] A remonstrance against the reduction of the pay of members of the Fire Department.

Which was read and received.

Mr. Hanlon presented

[78.] A remonstrance against the reduction of the pay of members of the Fire Department.

Which was read and received.

Mr. Voskamp presented

[79.] A remonstrance against the reduction of the pay of members of the Fire Department.

Which was read and received.

Mr. O'Donnell presented

[80.] A remonstrance against the reduction of the pay of members of the Fire Department.

Which was read and received.

Also,

[81.] Petition for the erection of a public gas lamp on corner of Spring alley and Twenty-eighth street.

Which was referred to Committee on Gas Lighting.

Mr. Blume presented

[82.] A remonstrance against the reduction of the pay of members of the Fire Department.

Which was read and received.

Mr. McClarran (R. M.),

[83.] A remonstrance against the reduction of the pay of members of the Fire Department.

Which was read and received.

Mr. Aull presented

[84.] Petition for fire plug on Hiland avenue, corner of Alder street, 20th ward.

Which was referred to the Committee on Water.

Also,

[85.] Petition of D. W. C. Carroll for the privilege to use a portion of the Monongahela or Allegheny wharf, to construct a new iron dredge boat for jetties at the mouth of Mississippi river.

Which was referred to the Committees on Monongahela and Allegheny wharf.

Also,

[86.] Entitled "An Ordinance establishing the grade of Beech alley, from Gist street to Seneca street."

Which was referred to the Committee on Roads.

Mr. Rahausner presented

[87 and 88.] Remonstrances against the reduction of the pay of members of the Fire Department.

Which were severally read and received.

Mr. Kemler presented

[89.] A remonstrance against the reduction of the pay of members of the Fire Department.

Which was read and received.

Also,

[90.] Petition of James H. Welch for privilege to erect an office on the Monongahela wharf.

Also,

Resolution granting to James H. Welch privilege to erect an office on the Monongahela wharf.

Which were read.

Mr. Pier moved

That the petition and resolution be referred to the Committee on Monongahela wharf.

Which prevailed.

Mr. Miller presented

[91.] A remonstrance against the reduction of the pay of members of the Fire Department.

Which was read and received.

Mr. Forsythe presented

[92.] A remonstrance against the reduction of the pay of members of the Fire Department.

Which was read and received.

Mr. Bigham presented

[93.] Petition of John Siefert & Co for privilege to open sewer in 32d ward.

Referred to Committee on Streets.

Mr. Thomson presented

[94.] A report from the Committee on Streets, covering a statement of their expenditures for the month of February, as follows:

First District	\$747 55
Second " "	293 63
Third " "	249 92
Fifth " "	252 71
Sixth " "	536 15
Seventh " "	202 09
Board of Viewers	453 00
Engineer's Department	691 54

Total.....\$3,426 59

Which was read and received.

Also,

[95.] The annual report of the City Engineer. Which was read and received, and 300 copies ordered to be printed.

Also,

[96.] Entitled "An Ordinance authorizing the grading, paving and curbing of Thirty-fourth street, from Butler street to the Allegheny Valley Railroad."

Which was referred to the Committee on Streets.

Also, from the Street Committee, affirmatively recommended,

[No. 56, S. C.] Entitled "An Ordinance to repeal an Ordinance entitled 'An Ordinance authorizing the opening of School alley, from Davison street to Sherman street,'" passed October 9th, 1871.

Which was read.

And the rule having been suspended, the bill was read a second and a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Dierst, Egan, Forsythe, French, Fennerty, Gallagher, Higgins, Hanlon, Johnston, Kinzer, Kirchner, Kohne, Miller, Manning, McClarran (R. M.), McClarran (Newton), McCafferty, McKinley, Nantker, Neeb, O'Donnell, Pier, Rahausner, Rea, Schuman, Schwarm, Thomson, Voskamp, Wamhoff, Weissner, Young, Negley—35.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, from the Street Committee, negatively recommended.

[53, C. C.] Entitled, "An Ordinance granting to S. S. Marvin & Co. the privilege to construct and maintain a vault under Exchange alley."

Which was read.

Mr. **Thomson** moved

To refer the bill back to the Committee on Streets.

Which prevailed.

Mr. **Aull** presented

[97.] Plan of lots laid out by Dr. A. H. Gross, being part of Friendship Park plan, 20th ward.

Which was approved.

Mr. **Neeb** presented

[98.] A report from the Police Committee covering a statement of their expenditures for the month of February, amounting to \$14,910.93.

Which was read and received.

Mr. **Pier** presented

From the Committee on Retrenchment and Reform, affirmatively recommended,

[S. C., No. 86.] Entitled "An Ordinance fixing the number of the Police force of the city of Pittsburgh."

Which was read.

And the rule having been suspended for the third reading and final passage of the bill,

Mr. **Bigham** moved

To amend by striking out the words "one hundred and seventy-five men," and inserting in lieu thereof, the words "two hundred men."

Which did not prevail.

And the bill was read a second and a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Blume, Dierst, Egan, Forsythe, Fennerty, French, Gallagher, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kirchner, Miller, Manning, McClarran (R. M.), McCafferty, McKinley, Nantker, Neeb, O'Donnell, Pier, Rahausser, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Wamhoff, Weisser, Young, Negley—35.

Noes—Messrs. Bigham, Kohne, McClarran (Newton)—3.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, from the same Committee, affirmatively recommended,

[S. C. No. 87.] Entitled "An Ordinance fixing the salary of the Police force of the city of Pittsburgh."

Which was read.

And the rule having been suspended, the bill was read a second and a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Blume, Dierst, Egan, Forsythe, French, Fennerty, Gallagher, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kirchner, Kohne, Miller, Manning, McClarran (R. M.), McClarran (Newton), McCafferty, McKinley, Nantker, Pier, Rahausser, Rea, Schuman, Schwarm, Voskamp, Wainwright, Wamhoff, Weisser, Negley—34.

Noes—Messrs. Neeb, O'Donnell—2.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, from the same Committee, affirmatively recommended,

[S. C., No. 84.] Entitled "An Ordinance fixing the compensation to be paid the employees of the Fire Department."

Which was read.

And the rule having been suspended for the consideration and final passage of the bill,

Mr. **Negley**, (Mr. Aull in the Chair,) moved

That the bill be amended, by inserting the words "per annum," after each item.

Which prevailed.

Mr. **Neeb** moved

That further action on the bill be indefinitely postponed.

Which, on a division being had, did not prevail. Ayes, 10; noes, 21.

Mr. **Negley**, (Mr. Aull in the Chair,) moved

That the bill be laid over to be printed.

Mr. **Neeb** moved

To amend, by referring the bill to the Committee on Police.

Mr. **Negley**

Arose to a point of order, that a motion to postpone had the precedence over a motion to refer to Committee.

The **Chair**, (Mr. Aull,) ruled the point well taken.

And the motion was ruled not in order.

And the motion to lay over for printing prevailed.

The Clerk of Select Council being introduced, announced that that body desired to recall from C. C. S. C. bill, No. 31, entitled "An Ordinance levying taxes, assessing water rents, and making appropriations for the year 1877," which had been messaged to C. C. this day.

Mr. **Negley**, (Mr. Aull in the Chair,) moved

That S. C. be allowed to withdraw S. C. bill, No. 31.

Which prevailed.

Mr. **Pier** presented

From Committee on Retrenchment and Reform, affirmatively recommended,

[S. C., No. 85.] Entitled "An Ordinance fixing the wages to be paid to certain employees of the Street and Road Committees."

Which was read.

And the rule having been suspended, the bill was read a second and third time.

And on the question "Shall the bill pass finally," the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Blume, Dierst, Egan, Forsythe, French, Fennerty, Gallagher, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kirchner, Kohne, Miller, Manning, McClarran (R. M.), McClarran (Newton), McCafferty, McKinley, Nantker, Neeb, O'Donnell, Pier, Rea, Schuman, Schwarm, Voskamp, Wainwright, Wamhoff, Weisser, Negley, President—35.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, from the Committee on Retrenchment and Reform, affirmatively recommended,

[S. C. No. 83.] Entitled, "An Ordinance fixing the salaries of certain city officers."

Which was read.

And the rule was suspended for the consideration and final passage of the bill.

Mr. **Thomson** moved

That further action be indefinitely postponed.

Which did not prevail.

Mr. **McClarran (Newton)** moved

To amend the bill by striking out the words, "City Clerk, \$2,000.00," and inserting in lieu thereof the words, "City Clerk, \$1,500.00," on line 19.

Mr. **Pier** moved

To amend the amendment by striking out "\$1,500.00," and inserting in lieu thereof "\$1,800.00."

Which did not prevail.

And the amendment prevailed, on a division, by a vote of ayes 26, noes 9.

And the bill was so amended.

Mr. **McClarran (Newton)** moved

To further amend the bill by striking out the words, "Assistant City Clerk, \$1,700.00," and insert in lieu thereof the words, "Assistant City Clerk, \$1,200.00," on line 20.

Mr. **Higgins** moved

To amend the amendment by striking out "\$1,200.00," and inserting in lieu thereof, "\$1,500.00."

Which, on a division, prevailed, by a vote of ayes 18, noes 9.

And the amendment, as amended, prevailed.

And the bill was so amended.

Mr. **McClarran (Newton)** moved

To further amend the bill by striking out the words,

"Mayor's Clerk, \$1,440.00," and insert in lieu thereof the words, "Mayor's Clerk, \$1,000.00," on line 21.

Mr. **Egan** moved

To amend the amendment by striking out "\$1,000.00," and inserting in lieu thereof "\$1,200.00,"

Which did not prevail.

And the amendment prevailed.

And the bill was so amended.

Mr. **McClarran (Newton)** moved

To further amend the bill by striking out the words, "Chief Clerk, Controller's office, \$1,800.00," and insert in lieu thereof the words, "Chief Clerk Controller's office, \$1,500.00," on line 22.

Mr. **French** moved

To amend the amendment by striking out "\$1,500.00," and inserting in lieu thereof "\$1,200.00,"

Which prevailed.

And the amendment, as amended, prevailed.

And the bill was so amended.

Mr. **McClarran (Newton)** moved

To further amend the bill by striking out the words, "Assistant Clerk, Controller's office, \$900.00," and insert in lieu thereof the words, "Assistant Clerk, Controller's office, \$800.00," on line 23.

Which prevailed.

And the bill was so amended.

Mr. **McClarran (Newton)** moved

To further amend the bill by striking out the words, "Messenger to Councils, \$720.00," and insert in lieu thereof the words, "Messenger to Councils, \$600.00,"

Which did not prevail.

The Clerk of Select Council being introduced, reported,

[S. C. Bill, No. 31.] Entitled, "An Ordinance levying taxes, assessing water rents, and making appropriations for the year 1877."

In C. C., February 28, amended and passed finally.

In which action S. C., March 12, refuse to concur.

Council again proceeded to the consideration of S. C. bill No. 83.

Mr. **French** moved

To further amend the bill by striking out the words, "Street Commissioners, First, Second and Third Districts, each, \$1,200.00," and insert in lieu thereof the words, "Street Commissioners, First, Second and Third Districts, each, \$900.00."

Mr. **Fennerty** moved

To amend the amendment by striking out "\$900.00," and inserting "\$1,000.00,"

Mr. **Negley**, (Mr. Aull in the Chair,) moved
That further action on the bill be postponed for the present, for the purpose of taking up S. C. bill No. 31, entitled, "An Ordinance levying taxes, assessing water rents, and making appropriations for the year 1877."

Mr. **Johnston** moved

To adjourn.

Which motion did not prevail.

And on the motion to postpone further action, to take up the Appropriation Bill, S. C., No. 31, a vote was taken.

And the motion did not prevail.

And the question recurring on the motion to amend the amendment by striking out "\$900.00," and inserting "\$1,000.00," the motion prevailed, on a division, by a vote of 18 ayes to 11 noes.

And the amendment, as amended, prevailed.

And the bill was so amended.

Mr. **Neeb** moved

To amend the bill by striking out the words, "Street Commissioners of the Fifth, Sixth and Seventh Districts, each, \$900.00," and insert the words, "Street Commissioners of the Fifth, Sixth and Seventh Districts, each, \$800.00," on line 17.

Which prevailed.

Mr. **Thomson** moved

To further amend the bill by striking out the words, "Road Commissioners, each, \$900.00," and insert in lieu thereof the words, "Road Commissioners, each, \$800.00," on line 18.

Which prevailed.

And the bill was so amended.

Mr. **Wainwright** moved

To further amend the bill by striking out the words, "Building Inspector, \$1,200.00," and insert in lieu thereof the words, "Building Inspector, \$1,000.00," on line 15.

Which prevailed.

And the bill was so amended.

Mr. **Neeb** moved

To amend the bill by striking out the words, "Master of the Monongahela wharf, South Side, \$720.00," and insert in lieu thereof the words, "Master of the Monongahela wharf, South Side, \$630.00," on line 14.

Mr. **Fennerty** moved

To amend the amendment by striking out "\$630.00," and inserting in lieu thereof "\$500.00,"

Which prevailed.

And the amendment, as amended, prevailed.

And the bill was so amended.

Mr. **Rahauer** moved

To further amend the bill by striking out the words, "Master of the Monongahela wharf, North Side, including his services as Master of the Allegheny wharf, \$1,200.00," and insert in lieu thereof the words, "Master of the Monongahela wharf, North Side, including his services as Master of the Allegheny wharf, \$800.00," on lines 12 and 13.

Mr. **Wainwright** moved

To amend the amendment by striking out "\$800.00," and inserting in lieu thereof "\$1,000.00,"

Which, on a division being had, prevailed, by a vote of 21 ayes to 8 noes.

And the amendment, as amended, prevailed.

And the bill was so amended.

Mr. **Neeb** moved

To further amend the bill by striking out the words "Clerk of Markets, South Side, \$720.00," and insert, in lieu thereof, "Clerk of Markets, South Side, \$600.00," on line 11.

Which prevailed.

And the bill was so amended.

Mr. **Kirchner** moved

To further amend the bill by striking out the words, "Clerk of Markets, North Side, \$972.00," and insert, in lieu thereof, the words, "Clerk of Markets, North Side, \$850.00," on line 10.

Mr. **Neeb** moved

To amend the amendment by striking out "\$850.00," and inserting "\$1,000.00," in lieu thereof.

Which prevailed.

And the amendment, as amended, prevailed.

And the bill was so amended.

Mr. **Neeb** moved

To further amend the bill by striking out the words, "Superintendent of Markets, \$972.00," and insert, in lieu thereof, the words, "Superintendent of Markets, \$1,000.00," on line 9.

Which prevailed, on a division, by a vote of 15 ayes to 13 noes.

And the bill was so amended.

Mr. **Pier** moved

To recommit the bill to the Committee on Retrenchment and Reform.

Which did not prevail.

Mr. **McCafferty** moved

To further amend the bill by striking out the words, "Superintendent of Water Works, \$1,800.00," and insert, in lieu thereof, the words, "Superintendent of Water Works, \$1,500.00,"

Which, on a division of the vote, prevailed, ayes, 18; noes, 9.

And the bill was so amended.

Mr. **Miller** moved

To reconsider the vote on the motion to amend the bill on line 11, by striking out the words, "Clerk of Markets, South Side, \$720.00," and inserting, in lieu thereof, the words, "Clerk of Markets, South Side, \$600.00,"

Which prevailed.

And the question recurring on the motion to amend

The motion did not prevail.

Mr. **Kirchner** moved

To further amend the bill by striking out the words, "Assessor of Water Rents, \$1,200.00," and insert, in lieu thereof, the words, "Assessor of Water Rents, \$1,000.00," on line 8.

Which prevailed.

And the bill was so amended.

Mr. **McCafferty** moved

To further amend the bill by striking out the words, "City Attorney, \$4,000.00," and insert, in lieu thereof, the words, "City Attorney, \$3,000.00," on line 5.

Which did not prevail.

Mr. **Negley** moved

That the bill, as amended, be laid over for printing.

Which prevailed.

And the bill was so laid over.

BUSINESS FROM SELECT COUNCIL.

[S. C. No. 98.] The Annual Report of the City Controller for the fiscal year ending January 31, 1877.

In S. C., March 12th, read and received, and 200 copies ordered to be printed.

In which action C. C. concurred.

[S. C. No. 92.] A report of the organization of the Committee on Bridges.

In S. C., February 26, read and accepted.

In which action C. C. concurred.

Mr. **Kirchner** moved

To adjourn.

On which the ayes and noes were demanded, and the demand being sustained, the call was ordered, and the result of the voting was as follows:

Ayes—Messrs. Bigham, Blume, French, Gallagher, Hanlon, Johnston, Kemler, Kirchner, Miller, Manning, O'Donnell, Rea, Schuman, Schwarm, Thomson, Wainwright.—16.

Noes—Messrs. Aull, Egan, Forsythe, Fennerty, Higgins, Kinzer, Kohne, McClarran (R. M.), McClarran (Newton), McCafferty, Nantker, Neeb, Pier, Rahauser, Voskamp, Weisser, Negley.—17.

So the motion did not prevail.

[S. C., No. 31.] Entitled "An Ordinance levying taxes, assessing water rents, and making appropriations for the year 1877."

In C. C., February 28th, passed finally as amended.

S. C., March 12th, refuse to concur.

Mr. **Negley** moved

That Common Council recede from former action and concur in the action of Select Council.

Mr. **Johnston** moved

That further action be postponed until the next meeting.

On which Mr. **Neeb** demanded the ayes and noes, and the demand being sustained, the call was ordered, and the result of the voting was as follows:

Ayes—Messrs. Bigham, French, Gallagher, Hanlon, Johnston, Kemler, Kirchner, Miller, Manning, McKinley, Neeb, O'Donnell, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Weisser.—19.

Noes—Messrs. Aull, Blume, Egan, Forsythe, Fennerty, Higgins, Kinzer, Kohne, McClarran, (R. M.), McClarran, (Newton), McCafferty, Nantker, Pier, Rahauser, Negley.—15.

So the motion to postpone prevailed.

On motion, Council adjourned.

Municipal Record.

Proceedings of Select and Common Councils of the City of Pittsburgh.

VOL. 10.

MONDAY, MARCH 19, 1877.

No. 10.

Municipal Record.

COMMON COUNCIL.

W. B. NEGLEY.....PRESIDENT.
GEORGE BOOTHCLERK.

PITTSBURGH, March 19th, 1877.

Council met, pursuant to the following call, to wit:

PITTSBURGH, March 13th, 1877.

Geo. Booth, Esq., Clerk of Common Council:

We, the undersigned, members of Common Council of the City of Pittsburgh, request you to call a special meeting of the Common Council, on Monday, March 19th, 1877, at two o'clock, P. M. to consider the Appropriation Ordinance for 1877.

W. W. THOMSON,
JNO. N. NEEB,
P. J. HIGGINS,
FRED. DIERST,
B. H. VOSKAMP,
B. GALLISATH,
WM. F. AULL,
CHAS. MANNING,
P. HANLON,
FRANK H. WEISSER,
JOHN FORSYTHE,
N. K. MILLER,
WM. M. KIRCHNER,
J. W. KEMLER,
H. NANTKER.

Which was read.

Present—Messrs. Aull, Belfore, Bigham, Blume, Egan, Forsythe, Frauenheim, French, Fennerty, Foley, Gallisath, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kirchner, Kohne, Miller, Manning, McClarran (R. M.), McCafferty, McKinley, Nantker, Neeb, O'Donnell, Pier, Rahausen, Rea, Schwarm, Voskamp, Wainwright, Walker, Wamhoff, Weisser, Pres't. Negley.

Absent—Messrs. Dierst, Gallagher, Hogle, McClarran (N.), Schuman, Thomson, Young.

On motion of Mr. **Fennerty**, the reading of the minutes was dispensed with.

And Council proceeded to the consideration of [S. C. No. 31.] Entitled, "An Ordinance levying taxes, assessing water rents and making appropriations for the year, 1877."

In S. C. Feb. 26th, passed finally.

In C. C. Feb. 28th, amended and passed finally, as amended.

S. C. March 2d, refuse to concur in the action of C. C.

S. C. March 12th, refuse to concur.

In C. C. March 12th, action postponed.

Which was read.

Mr. **Aull** moved

That this Council recede from their former action, and concur in the action of Select Council.

Mr. **Foley**, by leave, presented the following:

[99.] Resolved, That Common Council take no further action on the Appropriation Ordinance until Select Council act legally in the matter.

Which was read.

The **Chair** ruled

The resolution not in order, because the bill being officially endorsed, "S. C. refuse to concur," this Council could not go behind that endorsement.

And on the question, "Shall we recede from our former action, and concur in the action of S. C.?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Blume, Egan, Frauenheim, Kinzer, Kohne, McClarran (R. M.), McCafferty, Nantker, Pier, Rahausen, Pres't Negley.—13

Noes—Messrs. Bigham, Forsythe, French, Fennerty, Foley, Gallisath, Higgins, Hanlon, Johnston, Kemler, Kirchner, Miller, Manning, McKinley, Neeb, O'Donnell, Rea, Schwarm, Voskamp, Wainwright, Walker, Wamhoff.—22.

And a majority of the votes of Common Council not being in the affirmative, Common Council refused to recede from former action and concur in the action of Select Council.

The **Chair** announced

That in accordance with Parliamentary usages, he would appoint a Committee of Conference, on the appointment of a like Committee by Select Council.

Mr. **Aull** moved

That Council now proceed with the regular order of business.

Which prevailed.

And Council so proceeded.

Mr. **Neeb** presented

[100.] Entitled, "An Ordinance authorizing a temporary loan, for the payment of interest on bonds issued for the improvement of avenues and streets, under the provisions of the Penn Avenue Act."

Which was referred to the Committee on Finance.

Also,

[101.] Resolution for the erection of a gas lamp on the west side of Seventh avenue, at its intersection with Liberty street.

Which was referred to the Committee on Gas Lighting.

Also,

[102.] Memorial of the administrator of John C. Howley, deceased, for payment of balance due on the grading of Spencer avenue, 21st ward.

Which was referred to the City Attorney.

Also,

[103.] A remonstrance against the reduction of pay of employees of the Fire Department.

Which was read and received.

Mr. **McKinley** presented

[104.] Petition for the grading and paving of

Hatfield street, from Forty seventh to Forty-eighth streets.

Which was referred to the Committee on Streets.

Mr. **Wainwright** presented

[104½.] An Ordinance granting T. A. Gillespie right to erect an iron-clad building.

Referred to Committee on Wooden Buildings.

Mr. **Aull** presented

[105.] Petition of E. D. Stevenson, for removal of street car switch on Fourth avenue.

Which was referred to the Committee on Streets.

Also,

[106.] Petition of John Boyd, for payment of value of a horse, injured by a broken rail on the track of the Pittsburgh and Ormsby Passenger Railway, on Second avenue.

Which was referred to the Committee on Finance.

Mr. **Nantker** presented

[107.] Petition of John Hoffman, Jr., for the privilege to erect a frame building on Nineteenth street, 26th ward.

Which was referred to the Committee on Wooden Buildings.

Also,

[108.] Petition of John Fitzsimmons, for privilege to erect a frame building on Chestnut street, 30th ward.

Referred to the Committee on Wooden Buildings.

Mr. **Kemler**,

[109.] A report from the Committee on Monongahela Wharf, covering a statement of their receipts and expenditures for the month of February.

Receipts.	Wharf.	Expenditures.
\$900 00.....	North Side.....	\$143 33
106 00.....	South Side.....	65 83

Which was read and received.

Mr. **Pier** presented the following:

[110.] *To the Select and Common Councils of the City of Pittsburgh:*

GENTLEMEN—Your committee appointed to audit the accounts of the Board of Guardians of the Poor, would respectfully report that they have performed the duty assigned them, and find the accounts of the Secretary (Mr. Gus. L. Braun) accurate in every respect.

Your committee, believing that the method of making monthly purchases by the Guardians is not the proper one, would recommend the passage of the accompanying resolution.

Your committee submit herewith a condensed statement of the affairs of the Guardians for the past year.

Respectfully submitted,

N. McCLARRAN,
JOHN W. KEMLER,
W. S. PIER,
C. L. POWERS.

Which was read and received.

Also, the following:

[111.] Resolved, That the Committee on Legislation be hereby instructed to have prepared, and forward, for passage by the State Legislature, a bill requiring the Board of Guardians of the Poor of the City of Pittsburgh to advertise, for three consecutive days, at the end of each month, in two daily newspapers, one published in the English language, and one published in the German language, in the said city, which newspapers shall have been selected by the Councils of said city to publish municipal advertisements, for proposals to furnish such specified quantities of groceries, tobacco, flour and grain, as the said Board may deem necessary to supply the City Alms House during the month then next ensuing; also, for the same purpose, to advertise in a like manner for proposals to furnish specified quantities of dry goods, boots and shoes; also, for a like purpose, to advertise, quarterly, three consecutive days, in the newspapers before mentioned, for proposals to furnish such specified quantities of cured ham and bacon, and other preserved meats,

as the said Board shall deem necessary to supply said Alms House during the three months then next ensuing; also, whenever the said Board may deem it necessary, to employ mechanics or laborers to make repairs, to build additions, or in any way to improve or restore the property under their charge, to an extent the estimated cost of which shall exceed the sum of one hundred dollars, to advertise in the papers, and in the manner before mentioned, for proposals to furnish the labor and materials required. And all such proposals as shall be received, up to the time of opening them, upon the fourth day after the first publication of said advertisement, shall be opened by the Secretary of said Board, in its presence, or in the presence of its lawfully constituted committee, and the said Secretary shall then compute the amount of each bid, that is to say, the sum of all the values of the different commodities, or of services and materials, of each competitor, at the prices named in the bid, and the Board shall then award the contract to the responsible bidder, the amount of whose bid is the lowest figure. And said bill shall make it a misdemeanor, punishable by fine, for the said Board, or any member thereof, to fail to comply with the provisions of said bill.

Which was read.

Mr. **Aull** moved

To amend the resolution by striking out the word "forward" on second line, and insert, in lieu thereof, the words "report to Councils."

Which prevailed.

And the resolution, as amended, was read three times and passed, the rule having been suspended.

Mr. **French** moved

To suspend the rule of order, relative to the appointment of committee of conference on S. C. bill, No. 37, and that the bill be reported back to Select Council.

The **Chair** ruled

That this Council having still insisted upon its amendment, and having refused to recede and concur with the Select branch, it is made the duty of the President, by Parliamentary law, as well as by rule, to appoint a conference committee, and therefore the motion is not in order.

Mr. **Foley** presented the following:

[112.] Resolved, Select Council concurring, That the Presidents of Councils appoint a committee of seven from each branch, said committee shall have power to select one more member, making, in all, a committee of fifteen, who shall meet and act on the Appropriation Ordinance, and try to effect a compromise and report their finding to each branch of Councils.

The **Chair** ruled

The resolution not in order, as asking a committee to be framed contrary to law. The law requiring that Presidents of Councils shall appoint all committees, in which Common Council shall predominate at least one.

Mr. **Neeb** moved

To adjourn.

Which did not prevail.

BUSINESS FROM SELECT COUNCIL.

[S. C. No. 111.] Report of the City Engineer on the amount and character of the work required to be done to complete the reservoirs of the new water works.

In S. C. March 12th, read and accepted.

In which action C. C. concurred.

[S. C. No. 113.] Preliminary report of the Board of Viewers on the opening of Reservoir avenue.

In S. C. March 12th, read and accepted.

In which action C. C. concurred.

Mr. **Manning** moved

To adjourn.

Which, on a division being had, prevailed, by a vote of 20 yeas to 13 noes.

And Council adjourned.

Municipal Record.

Proceedings of Select and Common Councils of the City of Pittsburgh.

VOL. 10.

MONDAY, MARCH 26, 1877.

No. 11.

Municipal Record.

SELECT COUNCIL.

DAVID AIKEN.....PRESIDENT
E. S. MCKROW.....CLERK.

PITTSBURGH, March 26th, 1877.

Council met.

Present—Messrs. Ahl, Atkinson, Barkley, Baum, Bradley, Bruce, Buckley, Burns, Carr, Chambers, Dannals, Darlington, Foster (W. S.), Fox, Fullerton, Felker, Garrison, Gourley, Gray, Hoeh, Holliday, Hoim s, Kelly, Kernan, Kerr, Lappan, Littell, Meyer, Miller, Moore (W. J.), McCandless, McClurg, McKinley, Nantker, Nisbett, Negley, O'Donnell, O'Neill (E. M.), O'Neil (John), Patterson, Powers, Reiman, Rodgers, Schild, Schwarm, Shipton, Sawyer, Taylor, Vierheiler, Wat-on, Welsh. President Aiken.

Absent—Messrs. Boyd, Brown (L. T.), Brown (S. S.), Duff, Evans Foster (A. W., Jr.), Griffith, Herron, Hunter, Kennedy, Lageman, Lambi, Moore (W.), MacConnell, Noble, Nusser, Owens, Rolfe, Sorg, Sterling.

Mr. **McCandless** moved

To dispense with the reading of the minutes.

Which motion prevailed.

Mr. **Schild** presented

[120.] A remonstrance against the reduction of the pay of the Police Force of the city.

[121.] A remonstrance against the reduction of the pay of the Police Force of the city. Which were received.

Mr. **Darlington**,

[122.] A remonstrance against the reduction of the pay of the Police Force of the city. Which was received.

Also,

[123.] Petition for the repaving of Sixth street, from Penn avenue to Liberty street. Which was referred to the Street Committee.

Mr. **O'Neill (E. M.)**,

[124.] A remonstrance against the reduction of the pay of the Police Force of the city. Which was received.

Mr. **Reiman**,

[125.] A remonstrance against the reduction of the pay of the Police Force. Which was received.

Mr. **Dannals**,

[126.] A remonstrance against the reduction of the pay of the Police Force. Which was received.

Mr. **Fullerton**,

[127.] A remonstrance against the reduction of the pay of the Police Force. Which was received.

Mr. **O'Donnell**,

[128.] A remonstrance against the reduction of the pay of the Police Force. Which was received.

Mr. **Taylor**,

[129.] A remonstrance against the reduction of the pay of the Police Force. Which was received.

Mr. **Barkley**,

[130.] A remonstrance against the reduction of the pay of the Police Force. Which was received.

Mr. **Garrison**,

[131.] A remonstrance against the reduction of the pay of the Police Force. Which was received.

Mr. **Holmes**,

[132.] A remonstrance against the reduction of the pay of the Police Force. Which was received.

Mr. **Evans**,

[133.] An Ordinance locating Walter street, 23d ward. Which was referred to the Survey Committee.

Mr. **McClurg**,

[134.] A remonstrance against the reduction of the pay of the Police Force. Which was received.

Mr. **Patterson**,

[135.] A remonstrance against the reduction of the pay of the Police Force. Which was received.

Mr. **Bradley**,

[136.] A remonstrance against the reduction of the pay of the Police Force. Which was received.

Mr. **Carr**,

[137.] A remonstrance against the reduction of the pay of the Police Force. Which was received.

Mr. **Kerr**,

[138.] A remonstrance against the reduction of the pay of the Police Force. Which was received.

Mr. **Chambers**,

[139.] A remonstrance against the reduction of the pay of the Police Force. Which was received.

Mr. **Miller**,

[140.] A remonstrance against the reduction of the pay of the Police Force. Which was received.

Also,

[141.] Petition of Morris Welsh for leave to erect a frame shed on the corner of Ninth and Washington streets, South Side.

Which was referred to the Committee on Wooden Buildings.

Mr. Nantker,

[142.] A remonstrance of property holders in the 30th ward against the appropriation of public moneys for the payment of the interest on Penn avenue indebtedness.

Which was received.

Also,

[143.] An Ordinance granting John Fitzsimons right to erect a wooden building.

Also,

[144.] An Ordinance granting John Hoffman right to erect a frame addition.

Which were referred to the Committee on Wooden Buildings.

Mr. Schwarm,

[145.] A remonstrance against the reduction of the pay of the Police Force.

Which was received.

Mr. Meyer,

[146.] A remonstrance against the reduction of the pay of the Police Force.

Which was received.

Mr. Rodgers,

[147.] A remonstrance against the reduction of the pay of the Police Force.

Which was received.

Mr. O'Neil (John),

[148.] A remonstrance against the reduction of the pay of the Police Force.

Which was received.

The Clerk of Common Council having been introduced, presented the following papers for concurrence:

[S. C. bill, No. 85.] An Ordinance entitled "An Ordinance fixing the wages to be paid to certain employees of the Street and Road Committee."

[S. C. bill, No. 86.] An Ordinance entitled "An Ordinance fixing the number of the Police Force of the City of Pittsburgh."

[S. C. bill, No. 87.] An Ordinance entitled "An Ordinance fixing the salary of the Police Force of the City of Pittsburgh."

Which, in C. C., were read a third time and passed finally.

[C. C., No. 94.] Report of Street Committee for the month of February, 1877.

[C. C., No. 98.] Report of Police Committee.

[C. C., No. 110.] Report from Committee to audit accounts of the Guardians of the Poor.

[C. C., No. 109.] Report of the Committee on Monongahela Wharf for the month of February, 1877.

Which, in C. C., were read and accepted.

[C. C., No. 111.] Resolution asking for the preparation of an Act of Assembly in relation to the purchase of supplies by the Guardians of the Poor.

Which in C. C. was read and passed.

Dr. A. H. Gross' plan of lots approved.

[C. C., No. 95.] Report of the City Engineer for the year 1876.

In C. C. received and three hundred copies ordered to be printed.

Mr. Noble, from the Committee on Wooden Buildings, presented, affirmatively recommended, as committed.

[C. C. bill, No. 104½.] An Ordinance entitled "An Ordinance granting T. A. Gillespie right to erect an iron-clad building."

Which was read a first time and agreed to.

Mr. Noble moved

To suspend the rule to allow the third reading and final passage of the bill.

Which motion prevailed, and the rule having been suspended, the bill was read a second time and agreed to.

And the title was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Baum, Bruce, Buckley, Carr, Chambers, Darlington, Evans, Felker, Foster (W. S.), Fullerton, Garrison, Gourley, Holmes, Kelly, Kernan, Kerr, Lappan, Littell, Meyer, Miller, Moore (W. J.), McClurg, McKinley, Nantker, Nisbett, Noble, O'Donnell, O'Neill (Eugene M.), O'Neil (John), Patterson, Powers, Reiman, Rodgers, Schild, Schwarm, Taylor, Vierheller, Watson, Welsh, Aiken—40.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Ordered that the Clerk present the same to Common Council for concurrence.

Mr. Noble, by leave, called up C. C. bill No. 70, an Ordinance entitled "An Ordinance granting John Gilroy right to erect a frame building on Carson street, 34th ward."

In S. C. March 12th, read a first time.

And the bill was read a second time and agreed to.

And the title was read and agreed to.

Mr. Noble moved

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended,

The bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atkinson, Barckley, Baum, Bradley, Bruce, Burns, Carr, Chambers, Darlington, Duff, Evans, Felker, Foster (W. S.), Fox, Fullerton, Garrison, Gourley, Gray, Holliday, Holmes, Kernan, Kerr, Lappan, Littell, Meyer, Miller, Moore (W. J.), McCandless, McClurg, McKinley, Nantker, Nisbett, Noble, O'Donnell, O'Neill (Eugene M.), O'Neil (John), Patterson, Powers, Reiman, Rodgers, Schild, Schwarm, Shipton, Taylor, Vierheller, Watson, Welsh, Aiken—48.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Ordered that the Clerk present the same to C. C. for concurrence.

Mr. Noble called up, by leave,

[C. C. bill, No. 71.] An Ordinance entitled "An Ordinance granting A. E. McCandless right to erect a frame stable."

In S. C., March 12th, read a first time.

And the bill was read a second time and agreed to.

And the title was read and agreed to.

Mr. Noble moved

To suspend the rule to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended,

The bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atkinson, Barckley, Baum, Bradley, Bruce, Carr, Chambers, Duff, Evans, Felker, Foster (W. S.), Fox, Holliday, Holmes, Kelly, Kernan, Kerr, Lappan, Littell, Meyer, Miller, Moore (W. J.), McCandless, MacConnell, McClurg, McKinley, Nantker, Nisbett, Noble, O'Donnell, O'Neil (John), Patterson, Powers, Reiman, Rodgers, Schild, Schwarm, Shipton, Taylor, Vierheller, Watson, Welsh, Aiken—43.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Ordered that the Clerk transmit the same to Common Council for concurrence.

Mr. Noble, by leave, called up

[C. C. bill, No. 69.] An Ordinance entitled "An Ordinance granting Tibby Bros. right to erect an iron-clad building."

In S. C., March 12th, read a first time.

And the bill was read a second time and agreed to.

And the title was read and agreed to.

Mr. Noble moved

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended, the bill was read a third time and agreed to.

And on the question "shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Atkinson, Barclay, Baum, Bradley, Bruce, Carr, Chambers, Dannals, Duff, Evans, Felker, Foster (W. S.), Fox, Fullerton, Gourley, Gray, Holliday, Holmes, Kelly, Kernan, Kerr, Lappan, Littell, Meyer, Miller, Moore (W. J.), McCandless, McClurg, McKinley, Nantker, Nisbett, Noble, O'Donnell, O'Neil (John), Patterson, Powers, Reiman, Rodgers, Schild, Schwarm, Taylor, Vierheller, Watson, Welsh, Aiken—46.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Ordered that the Clerk transmit the same to Common Council, for concurrence.

Mr. Evans, from the Road Committee,

Affirmatively, as committed,

[C. C. bill, No. 86.] An Ordinance entitled "An Ordinance establishing the grade of the south curb of Beech alley, from Gist street to Seneca street."

Which was read a first time and agreed to.

Mr. Evans moved

To suspend the rule, to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended, the bill was read a second time and agreed to.

And the title was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Baum, Bruce, Burns, Carr, Chambers, Dannals, Darlington, Evans, Felker, Foster (W. S.), Fox, Fullerton, Garrison, Gourley, Hoeh, Holliday, Kelly, Kernan, Lappan, Littell, Meyer, Moore (W. J.), McCandless, MacConnell, McClurg, Nantker, Nisbett, O'Donnell, O'Neil (John), Patterson, Powers, Reiman, Schild, Shipton, Taylor, Vierheller, Welsh, Aiken—39.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Ordered that the Clerk transmit the same to Common Council, for concurrence.

The Clerk of Common Council having been introduced, announced that it had reconsidered action in refusing to recede and concur with Select Council in its action on S. C. bill, No. 31, an Ordinance entitled "An Ordinance levying taxes, assessing water rents, and making appropriations for the year 1877," and pending action on the motion to recede and concur, had postponed action until 3:30 o'clock P. M., this day.

Mr. MacConnell, by leave, presented

[149.] A remonstrance against the reduction of the pay of the Police Force.

Which was received.

Mr. Gourley, by leave,

[150.] A remonstrance against the reduction of the pay of the Police Force.

Which was received.

Mr. MacConnell, from the Road Committee,

[151.] Preliminary Report from the Board of Viewers on C. C. bill, No. 7, an Ordinance authorizing the opening of Centre avenue, from Neville street to Liberty avenue.

Which was read and accepted.

Also,

[C. C. bill, No. 7.] An Ordinance entitled "An Ordinance authorizing the opening of Centre avenue, from Neville street to Liberty avenue."

Which was read a first time and agreed to.

Mr. MacConnell moved

That the rule be suspended, to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended, the bill was read a second time and agreed to.

And the title was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Darlington, Evans, Foster (W. S.), Gourley, Hoeh, Holliday, Holmes, Kerr, Littell, Moore (W. J.), MacConnell, McKinley, Negley, Nisbett, O'Donnell, Taylor, Watson, Welsh, Aiken—19.

Noes—Messrs. Baum, Bradley, Bruce, Buckley, Burns, Chambers, Dannals, Duff, Felker, Kelly, Kernan, Meyer, Nantker, O'Neill (Eugene M.), O'Neil (John), Patterson, Powers, Reiman, Rodgers, Sawyer, Schild, Schwarm, Shipton, Sorg, Vierheller—25.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass finally.

Mr. Powers moved

To reconsider action on the vote for the final passage of the bill.

Which motion prevailed.

And the question recurring on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Atkinson, Barclay, Baum, Bradley, Bruce, Burns, Carr, Darlington, Evans, Felker, Foster (W. S.), Fox, Fullerton, Garrison, Gourley, Gray, Herron, Hoeh, Holliday, Holmes, Kelly, Kernan, Kerr, Lappan, Littell, Meyer, Miller, Moore (W. J.), McCandless, MacConnell, McClurg, McKinley, Nantker, Negley, Nisbett, Noble, O'Donnell, O'Neil (John), Powers, Schild, Schwarm, Shipton, Sorg, Taylor, Vierheller, Watson, Welsh, Aiken—49.

Noes—Mr. Sawyer—1.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Ordered that the Clerk transmit the same to Common Council for concurrence.

The Clerk of Common Council being introduced, messaged, for concurrence,

[C. C. No. 120.] A resolution protesting against the passage of Senate Bill 102, urging its repeal, and requesting the members of the Legislature from this county, who voted for the bill, to resign.

In C. C. passed.

Mr. McCandless moved

That to recall and reconsider action on S. C. bill, No. 31, an Ordinance levying taxes, assessing water rents, and making appropriations for the year 1877.

The President ruled

That the motion was not in order, as under Section 9 of Rule 4, a motion to recall and reconsider can only be made, provided the other Council have taken no action on the subject. Common Council, as this branch has been informed by the Clerk of Common Council, had at its last meeting refused to recede and concur with the action of Select Council on the bill, and had this day reconsidered and postponed action on the motion to recede and concur, until 3 o'clock, P. M.

Mr. Holliday,

Appealed from the decision of the President.

And the President called

Mr. Bruce to the Chair.

And on the question, "Shall the decision of the Chair stand as the judgment of Council?" a division

was had, and there were fifteen ayes and thirty-five noes.

So the question was decided in the negative.

And the motion

To recall and reconsider S. C. bill, No. 31, an Ordinance levying taxes, assessing water rents and making appropriations for the year 1877.

Was decided in the affirmative.

Order d that the Clerk inform Common Council of the action of this Council

Mr. **Kerr** presented the following:

[152.] Whereas The Legislature of Pennsylvania has enacted a law changing the method of collecting city taxes, and creating a new office unknown to the charter of our city, therefore

Resolved, That it is the sense of this Council, that the law is in violation of our rights as Councilmen and citizens, and should be repealed at the earliest opportunity.

Which was read.

Mr. **Kerr** moved

The passage of the resolution,

On which motion the ayes and noes were demanded by Mr. Littell, and the demand having been sustained, were ordered to be taken, and were:

Ayes—Messrs. Ahl, Atkinson, Barckley, Bradley, Bruce, Buckley, Burns, Carr, Chambers, Dannals, Darlington, Duff, Evans, Felker, Foster (W. S.), Fox, Fullerton, Garrison, Gourley, Gray, Herron, Hoeh, Holliday, Holmes, Kelly, Kernan, Kerr, Lambie, Lappan, Littell, Miller, Meyer, Moore (W. J.), McCandless, McClurg, McKinley, Nantker, Negley, Noble, O'Donnell, Patterson, Powers, Reiman, Rodgers, Sawyer, Schild, Schwarm, Shipton, Sorg, Taylor, Vierheller, Watson, Welsh—53.

Noes—Mr. Aiken—1.

So the motion prevailed.

And the resolution was passed.

Mr. **Gourley** moved

To suspend the rule to allow the consideration of C. C. No. 120, resolution protesting against the passage of Senate bill 102, urging its repeal and requesting resignation of the members from this county who voted for it.

Which motion prevailed.

And the rule having been suspended, Councils proceeded to the consideration of the resolution.

Mr. **Bruce** moved

To amend by striking out that portion requesting resignation of the members from Allegheny county.

On which motion a division was had, and there were 12 ayes, and 33 noes.

So the motion did not prevail.

Mr. **Gourley** moved

The passage of the resolution.

On which motion the ayes and noes were demanded by Mr. Gourley.

And the demand having been sustained, the ayes and noes were taken, and were:

Ayes—Messrs. Ahl, Atkinson, Barckley, Bradley, Bruce, Buckley, Burns, Carr, Chambers, Dannals, Darlington, Duff, Felker, Foster (W. S.), Fox, Gourley, Gray, Hoeh, Holmes, Kernan, Kerr, Lambie, Lappan, Meyer, Miller, McClurg, McKinley, Nantker, O'Donnell, O'Neil (John), Patterson, Reiman, Rodgers, Sawyer, Schild, Schwarm, Sorg, Taylor, Vierheller, Watson—45.

Noes—Messrs. Baum, Evans, Garrison, MacConnell, Negley, Welsh, Aiken—7.

So the motion prevailed.

And the resolution passed.

The following business from Common Council was taken up:

Reports from the Board of Viewers of Street Improvements, on the damages caused by the opening of,

[No. 16, C. C.] Station street, from Franks-town avenue to Penn'a. Railroad.

[No. 17, C. C.] Knox avenue, from Brownsville road to the City Line.

[No. 18, C. C.] Osage lane, from Penn avenue to line of property of Stacy Lloyd's heirs.

Which were severally read and approved.

[C. C., No. 97.] Dr. A. H. Gross' plan of lots.

Which was approved.

[C. C. bill, No. 12.] An Ordinance entitled "An Ordinance authorizing the opening of Forty-seventh street, from the south side of the A. V. R. R. to the north side of the A. V. R. R."

Which was read a first time and agreed to.

Mr. **Taylor** moved

To suspend the rule, to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended, the bill was read a second time and agreed to.

And the title was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, 'Shall the bill pass finally?' the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Atkinson, Barckley, Baum, Burns, Carr, Dannals, Duff, Evans, Foster (W. S.), Fox, Fullerton, Gourley, Gray, Herron, Hoeh, Holliday, Holmes, Kelly, Kernan, Kerr, Lambie, Littell, Miller, Moore (W. J.), MacConnell, McClurg, McKinley, Nantker, O'Donnell, O'Neil (E. M.), O'Neil (John), Patterson, Powers, Reiman, Rodgers, Schild, Schwarm, Taylor, Vierheller, Watson, Welsh, Aiken—43.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

The Clerk of Common Council having been introduced, presented S. C. bill No. 31, an Ordinance levying taxes, assessing water rents and making appropriations for the year 1877, in compliance with the request of Select Council.

Mr. **McCandless** moved

To suspend the rule, to allow the consideration of the bill

Which motion prevailed.

And Council proceeded to the consideration of the bill.

Mr. **McCandless** moved

That Select Council concur in the amendments made to the bill by Common Council.

Mr. **Powers** called

The previous question,

And the call for the previous question having been sustained it was ordered, and the question,

That the main question be now put,

Was decided in the affirmative.

And on the motion to concur with the action of Common Council,

The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Atkinson, Barckley, Bradley, Burns, Buckley, Chambers, Dannals, Darlington, Duff, Felker, Foster (W. S.), Fox, Gourley, Gray, Herron, Hoeh, Holliday, Holmes, Kelly, Kernan, Kerr, Lambie, Lappan, Meyer, Miller, McCandless, McClurg, Noble, O'Donnell, O'Neil (E. M.), O'Neil (John), Patterson, Powers, Reiman, Rodgers, Sawyer, Schild, Schwarm, Sorg, Taylor, Vierheller, Watson—44.

Noes—Messrs. Baum, Bruce, Carr, Evans, Fullerton, Garrison, Littell, Moore (W. J.), MacConnell, McKinley, Nantker, Nisbett, Shipton, Welsh, Aiken, —15.

And a majority of the votes of Select Council being in the affirmative, the amendments made by Common Council were concurred in.

And the bill, as amended, was passed finally.

Mr. **Holliday** moved

That the Clerk be directed to inform Common Council that this Council was now ready to adjourn.

Which prevailed.

The **President** announced

The following changes in and additions to committees :

H. Meyers, from Railroad to Police; C. L. Powers, from Survey to Water; R. H. Negley, from Survey to Gas; George Noble, Appeals and Streets; J. C. O'Donnell, Survey and Allegheny Wharf; J. Holmes, Roads and Legislation; S. Garrison, Survey and City Property; Wm. Moore, Markets and Appeals; G. J. Chambers, Railroad and Monongahela Wharf.

[C. C. bill, No. 10.] An Ordinance entitled "An Ordinance authorizing the assessment of the cost of construction of a bridge over Boundary street, on the line of Forbes street."

Failed to pass, February 12th, for want of legal majority.

Asked on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atkinson, Barclay, Baum, Buckley, Carr, Darlington, Felker, Foster (W. S.), Fox, Gourley, Garrison, Herron, Hoeh, Holiday, Holmes, Kerr, Lambie, Little, Meyer, Miller, Moore (W. J.), McConnell, McClurg, McKinley, Nantker, Negley, Nesbitt, O'Donnell, O'Neill (Eugene M.), Reiman, Rodgers, Schild, Schwarm, Sorg, Taylor, Vierheller, Watson, Welsh, Aiken—39.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Ordered that the Clerk transmit the same to Common Council, for concurrence.

The Clerk of Common Council having been introduced, announced that Common Council had concurred with Select Council in the action on the following papers:

[S. C. bill, No. 13.] An Ordinance changing the grade of Second avenue, between Murphy street and a point 1,603 feet east of the east curb of Murphy street.

[S. C. bill, No. 14.] An Ordinance authorizing the Pittsburgh Gas Company to re-grade, re-pave and re-curb Second avenue to conform to a change of grade on said avenue, as authorized by Ordinance.

[C. C. bill No. 8.] An Ordinance authorizing the opening of Reservoir avenue, from River avenue to Hiland avenue Reservoir.

[S. C., No. 108.] Report of the Water Committee, for February.

[S. C., No. 119.] Resolution requesting the passage of Senate Bill No. 194.

[S. C., No. 118.] Resolution asking defeat of House Bill No. 327.

[S. C., No. 116.] Report of Committee on Roads, for February.

[S. C., No. 117.] Report of Committee on Legislation.

[S. C., No. 114.] Report of the Committee on City Property, for February.

[S. C., No. 115.] Report of the Committee on Markets, for February.

[S. C., No. 109.] Opinion from the City Attorney in answer to resolution of February 15th, in relation to the New Water Works.

[S. C., No. 110.] Report from the Mechanical Engineer of the New Water Works.

[S. C., No. 112.] Resolution directing the Water Committee to prosecute work on the New Water Works.

Adjourned.

COMMON COUNCIL.

W. B. NEGLEY.....PRESIDENT.

GEORGE BOOTH.....CLERK.

PITTSBURGH, March 26th, 1877.

Council met.

Present—Messrs. Aull, Belfore, Bigham, Blume, Dierst, Egan, Frauenheim, Fennerty, Foley, Galisath, Higgins, Hanlon, Hoyle, Johnston, Kinzer, Kemler, Kitchner, Kohne, Miller, Manning, McClarran (R. M.), McCafferty, McKinley, Neeb, O'Donnell, Pier, Rauber, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Wamhoff, Young, Pres't Negley.

Absent—Messrs. Forsythe, French, Gallagher, McClarran (N.), Nantker, Walker and Weisser.

The minutes of the meeting of March 19th were read and approved.

The **Chair** announced the appointment of Messrs. Thomson and Neeb as the Committee of Conference on S. C. bill No. 31, on the part of C. C.

Mr. **Neeb**, (as coaded by Mr. Aull,) moved

That the action of March 19th, in which this Council refused to recede from former action and concur in the action of S. C., on S. C. bill No. 31, entitled, "An Ordinance levying taxes, assessing water rents and making appropriations for the year 1877," be reconsidered.

Which motion prevailed.

And the action of March 19th was so reconsidered.

The Clerk of Select Council being introduced, reported the following bills for concurrence:

[No. 13 S. C.] Entitled, "An Ordinance changing the grade of Second avenue, between Murphy street and a point 1,603 feet east of the east curb of Murphy street."

Passed March 12th.

[No. 14, S. C.] Entitled, "An Ordinance authorizing the Pittsburgh Gas Company to re-grade, re-pave and re-curb Second avenue, to conform to a change of grade on said avenue, as authorized by Ordinance."

Passed March 12th.

[No. 8, C. C.] Entitled, "An Ordinance authorizing the opening of Reservoir avenue, from River avenue to Hiland avenue reservoir."

Passed March 12th.

[No. 5, S. C.] Entitled, "An Ordinance authorizing the opening of Wayne street, from Stanton avenue to Hampton street."

Passed March 12th.

[No. 119, S. C.] Resolution requesting the passage of Senate bill No. 194.

Passed March 12th.

[No. 118, S. C.] Resolution directing our members in the Legislature to oppose the passage of House bill No. 327.

Passed March 12th.

[No. 112, S. C.] Resolution directing the Water Committee to proceed with the work on the new water works.

Passed March 12th.

[No. 110, S. C.] Report from the Mechanical Engineer, Jos. L. Lowry, in answer to resolution of February 15th.

Read and accepted March 12th.

[No. 109, S. C.] Opinion from City Attorney in answer to resolution of February 15th.

Read and accepted March 12th.

[No. 108, S. C.] Report of Committee on Water, for February.

[No. 114, S. C.] Report of Committee on City Property, for February.

[No. 115, S. C.] Report of Committee on Markets, for February.

[116, S. C.] Report of Committee on Roads, for February.

[117, S. C.] Report of Committee on Legislation.

Severally read and accepted, March 12th.

Mr. **Thomson** moved

That the further consideration of S. C. bill No. 31 be postponed until 3½ o'clock P. M.

Which motion prevailed.

And further action was postponed.

Mr. **Thomson** presented

[113.] Petition of Elizabeth Manning for ex-emption from taxes.

Which was referred to the Committee on Appeals.

Also,

[114.] Entitled, "An Ordinance granting the Pittsburgh and Connellsville Railroad right to erect an iron bridge on Second avenue, in place of the present wooden structure, and providing for keeping the same in order."

Which was referred to the Committee on Streets.

Also,

[115.] Petition of Hutchinson's Battery for leave to erect a wooden building.

Which was referred to the Committee on Wooden Buildings.

Also,

[116.] An Ordinance granting Hutchinson's Battery, N. G. P., right to erect a wooden building.

Which was referred to the Committee on Wooden Buildings.

Also,

[117.] Petition for the repaving of Sixth street, from Liberty street to Penn avenue.

Which was referred to the Board of Viewers.

Mr. **Manning** presented

[118.] Petition for water mains on Bluff street.

Which was referred to the Committee on Water.

Mr. **Bigham** presented

[119.] Remonstrance against the opening of sewer under Southern avenue.

Which was referred to the Committee on Streets.

Mr. **Pier** moved

To suspend the rule, to allow the taking up for action of S. C. bill No. 84, entitled, "An Ordinance fixing the compensation to be paid the employeess of the Fire Department."

Which prevailed.

And the rule was suspended.

And,

[S. C. No. 84.] Entitled, "An Ordinance fixing the compensation to be paid the employeess of the Fire Department."

In C. C. March 12th, amended.

Which was read.

Mr. **Manning** moved

That further action be indefinitely postponed.

On which

Mr. **Foley** demanded the ayes and noes.

And the demand being sustained, the call was ordered, and were:

Ayes—Messrs. Belfore, Blume, Egan, Gallisath, Hogle, Kemler, Miller, Manning, McClarran (R. M.), Neeb, O'Donnell, Schuman, Thomson—13.

Noes—Messrs. Aull, Bigham, Dierst, Frauenheim, Fennerty, Foley, Hanlon, Johnston, Kinzer, Kirchner, Kohne, McCafferty, McKinley, Pier, Rahausser, Rea, Schwarm, Voskamp, Wainwright, Wamhoff, Young, Negley—22.

And a majority of the votes of Common Council not being in the affirmative, action was not indefinitely postponed.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Bigham, Dierst, Frauenheim, Fennerty, Foley, Hanlon, Johnston, Kinzer, Kirchner, Kohne, McCafferty, McKinley, Pier, Rea, Schwarm, Voskamp, Wainwright, Wamhoff, Young,

Negley—21.

Noes—Messrs. Belfore, Blume, Egan, Gallisath, Hogle, Kemler, Miller, Manning, McClarran (R. M.), Neeb, O'Donnell, Rahausser, Schuman, Thomson—14.

And a majority of the votes of Common Council not being in the affirmative, the bill failed to pass.

Mr. **Thomson** moved

That the Clerk be directed to notify Select Council, that this Council had reconsidered their action in "refusing to recede from former action and concur in the action of Select Council," on S. C. bill No. 31, entitled "An Ordinance levying taxes, assessing water rents and making appropriations for the year 1877," and that further action had been postponed until 3½ o'clock P. M.

Which motion prevailed.

And Select Council was so notified.

Mr. **Aull**, (by leave,) presented the following:

[120.] Whereas, The action in the Legislature in rushing through, regardless of the interests or wishes of the citizens of the city of Pittsburgh, Senate bill No. 102, embracing, as it does, sections of an outrageous and contemptible character, merits the rebuke and disapproval of every true spirited citizen, therefore

Resolved, That the Councils of this city enter their solemn protest against the bill in its present shape, and urge the repealing of the same at the earliest possible moment.

Which was read.

Mr. **Johnston** moved

To amend by adding the following: "and that the members from this county who voted for said bill, be requested to resign."

Which prevailed.

And the resolution, as amended, was read and passed finally.

BUSINESS FROM SELECT COUNCIL.

[No. 8, C. C.] Entitled "An Ordinance authorizing the opening of Reservoir avenue, from River avenue to Hiland avenue reservoir."

In S. C., March 12th, passed finally.

Which was read.

And the rule having been suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Blume, Dierst, Egan, Frauenheim, Fennerty, Foley, Gallisath, Higgins, Hanlon, Hogle, Johnston, Kinzer, Kemler, Kohne, Miller, Manning, McClarran (R. M.), McCafferty, McKinley, Neeb, O'Donnell, Pier, Rea, Schuman, Schwarm, Voskamp, Wainwright, Wamhoff, Young, Negley—33.

Noes—Messrs. Kirchner, Rahausser—2.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

[108, S. C.] Report of Water Committee, for the month of February.

In S. C., March 12th, read and accepted.

In which action C. C. concurred.

[119, S. C.] Resolution requesting the passage of Senate bill, No. 194.

In S. C., March 12th, passed finally.

Which was read.

Mr. **Aull** moved

That the resolution be referred to the Committee on Legislation.

Which prevailed.

And the resolution was so referred.

[118, S. C.] Resolution directing our members in the Legislature to oppose the passage of House bill, No. 327.

In S. C., March 12th, passed finally.

Which was read.

Mr. **Neeb** moved

That the resolution be referred to the Committee on Legislation.

Which prevailed.
And the resolution was so referred.
[116, S. C.] Report of the Committee on Roads, for February.
S. C., March 12th, read and accepted.
In which action C. C. concurred.
[117, S. C.] Report of the Committee on Legislation.
S. C., March 12th, read and accepted.
Which was read and laid over.
[114, S. C.] Report of the Committee on City Property, for February.
S. C., March 12th, read and accepted.
In which action C. C. concurred.
[115, S. C.] Report of the Committee on Markets, for February.
S. C., March 12th, read and accepted.
In which action C. C. concurred.
[109, S. C.] Opinion from the City Attorney in answer to resolution of February 15th, relative to new Water Works.
In S. C., March 12th, read and accepted.
In which action C. C. concurred.
[112, S. C.] Resolution directing the Water Committee to proceed with the work on the new Water Works.
S. C., March 12th, passed finally.
Which was read three times and passed finally.
[110, S. C.] Report from the Mechanical Engineer, Joseph L. Lowry, in answer to resolution of February 15th.
In S. C., March 12th, read and accepted.
In which action C. C. concurred.
[5, S. C.] Entitled "An Ordinance authorizing the opening of Wayne street, from Stanton avenue to Hampton street."
In S. C., March 12th, passed finally.
Which was read.
Mr. **Thomson**, by leave, presented
[121, A remonstrance against the opening of Wayne street, from Stanton avenue to Hampton street.
Which was read and received.
Mr. **Thomson** moved
That the remonstrance, together with the Ordinance, (No. 5, S. C.) be referred to the Committee on Roads.
Which prevailed.
And the remonstrance and bill were so referred.
[13, S. C.] Entitled "An Ordinance changing the grade of Second avenue, between Murphy street and a point 1,603 feet east of the east curb of Murphy street."
In S. C., March 12th, passed finally.
Which was read.
And the rule having been suspended, the bill was read a second and third time.
And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:
Ayes—Messrs. Aull, Belfore, Bigham, Blume, Dierst Egan, Frauenheim, Fennerty, Foley, Gallisath, Hanlon, Hogle, Johnston, Kemler, Miller, Manning, McClarran (R.M.), McCafferty, McKinley, Neeb, O'Donnell, Pier, Rahausen, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Wamhoff, Negley—29.
Noes—Messrs. Higgins, Kinzer, Kirchner, Kohne, Rea, Schuman—6.
And a majority of the votes of Common Council being in the affirmative, the bill passed finally.
[14, S. C.] Entitled "An Ordinance authorizing the Pittsburgh Gas Company to re-grade, re-pave, and re-curb Second avenue, to conform to a change of grade on said avenue, as authorized by Ordinance."
In S. C., March 12th, passed finally.
Which was read.
And the rule having been suspended, the bill was read a second and third time.
And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Blume, Dierst, Egan, Frauenheim, Fennerty, Foley, Gallisath, Higgins, Hanlon, Hogle, Johnston, Kinzer, Kemler, Kirchner, Kohne, Miller, Manning, McClarran (R. M.), McCafferty, McKinley, Neeb, O'Donnell, Pier, Rahausen, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Wamhoff, Young, Negley—36.
Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

The Clerk of Select Council being introduced, announced that that body desired the return to them of S. C., No. 31.

UNFINISHED BUSINESS OF COMMON COUNCIL.

[S. C., No. 83.] Entitled "An Ordinance fixing the salaries of certain City Officers."

In C. C., March 12th, amended.

Which was read.

Mr. **Aull** moved

To refer the bill back to the Committee on Retrenchment and Reform.

On which a division of the vote was had, and the ayes were 18, and the noes were 12.
So the motion prevailed.

And the bill was so referred.

Mr. **Thomson** moved

That the Clerk be directed to message over to Select Council, as requested by that body, "S. C. Bill, No. 31."

The **Chair** ruled,

"That as a motion is pending in this Council, to recede and concur in the action of the Select Council, that said motion must be disposed of first, before any other than a privileged question can be received thereon."

Mr. **Thomson**

Appealed from the decision of the Chair,

And the appeal having been sustained,

The **President** called Mr. Bigham to the Chair.

And on the question, "Shall the decision of the Chair be sustained?"

Mr. **Aull** demanded the ayes and noes, and the demand being sustained, the call was ordered, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Blume, Dierst, Egan, Frauenheim, Fennerty, Higgins, Hanlon, Kinzer, Kohne, McClarran (R. M.), McCafferty, Pier, Rahausen—16.

Noes—Messrs. Foley, Gallisath, Hogle, Johnston, Kemler, Kirchner, Miller, Manning, McKinley, Neeb, O'Donnell, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Wamhoff, Young—19.

So the decision of the Chair was not sustained.

The hour of 3½ P. M., the time fixed for the consideration of the motion to recede from former action and concur in the action of S. C. on S. C. bill, No. 31, having arrived, the Chair (Mr. **Negley**) called the order of the day.

Mr. **Thomson** moved

That further consideration of S. C. bill, No. 31, be postponed for one hour.

Which motion prevailed.

Mr. **Thomson** moved

That the Clerk be directed to message over to Select Council, as requested by that body, "S. C. bill, No. 31."

Which motion prevailed.

And the bill was so messaged to S. C.

Mr. **Bigham** presented,

[122] Joint resolution for the appointment of a committee to examine into the expediency of dividing the city into five municipalities.

Which was read.

Mr. **Aull** moved

That the resolution be referred to the Committee on Finance, and that the Clerk be directed to have printed enough copies for the use of the members.

Which prevailed.

The Clerk of S. C. being introduced, announced that that body had receded from their former action,

and had concurred in the action of Common Council on S. C. bill, No. 31,

And that they had also concurred in the action of C. C. on C. C. No. 120.

Mr. **Foley** presented the following:

[123.] Resolved, That the City Engineer be and he is hereby instructed to report to this Council, at its next meeting, if he has taken or caused to be taken off the hands of the contractor, Main street,

34th ward, and also to report the present condition of said street.

Which was read and passed.

Mr. **Thomson** presented

[124.] Report of the Viewers of Street Improvements on the opening of Exchange alley, from Barker's alley to Seventh street.

Which was approved.

Adjourned.

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SATURDAY, MARCH 31, 1877.

No. 12.

Municipal Record.

SELECT COUNCIL.

DAVID AIKEN.....PRESIDENT
E. S. MCROW.....CLERK.

PITTSBURGH, March 30th, 1877.

To E. S. Morrow, City Clerk:

SIR—You will, by direction of the Finance Committee, call a meeting of Select Council for Saturday, March 31st, 1877, at 2 o'clock P. M., to receive a report from the Finance Committee on

[S. C. bill, No. 100.] An Ordinance authorizing a temporary loan for the payment of interest on bonds issued for the improvement of avenues and streets under the provisions of the Penn Avenue Act.

R. M. SNODGRASS,
Clerk to Finance Committee.

PITTSBURGH, SATURDAY, March 31st, 1877.

Council met pursuant to the foregoing call.

Present—Messrs. Ahl, Atkinson, Baum, Bradley, Bruce, Carr, Chambers, Duff, Foster (Alex. W.), Foster (W. S.), Fox, Garrison, Gourley, Gray, Holliday, Holmes Kerr, Lagerman, Littell, Meyer, Moore (W. J.), McCandless, McClurg, McKinley, Nantker, Negley, Nisbett, Noble, O'Donnell, O'Neil (Eugene M.), O'Neil (John), Patterson, Powers, Reiman, Rodgers, Schwarm, Shipton, Sorg, Sterling, Vierheller, Watson, and President Aiken.

Absent—Messrs. Barclay, Boyd, Brown (L. T.), Brown (S. S.), Buckley, Burns, Dannals, Darlington, Evans, Felker, Fullerton, Griffith, Herron, Hoeh, Kelly, Kennedy, Kernan, Lambie, Lappan, Miller, Moore (W.), MacConnell, Nusser, Owens, Rolfe, Sawyer, Schild, Taylor, Welsh.

Mr. **Holliday** moved

To dispense with the reading of the minutes of the last meeting.

Which motion prevailed.

Mr. **Shipton**, from the Finance Committee, presented,

Affirmatively recommended, as amended in committee,

[C. C. bill, No. 100.] An Ordinance entitled "An Ordinance authorizing a temporary loan for the payment of interest on bonds issued for the improvement of avenues and streets under the provisions of the Penn Avenue Act."

Which was read a first time.

Mr. **Powers** moved

To suspend the rule to allow the third and final passage of the bill.

Which motion prevailed.

And the rule having been suspended, the bill was read a second time and agreed to.

And the title of the bill was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Atkinson, Baum, Bradley, Bruce, Carr, Duff, Foster (Alex. W.), Foster (W. S.), Fox, Garrison, Gray, Holliday, Holmes, Kerr, Lagerman, Littell, Meyer, Moore (W. J.), McCandless, McClurg, McKinley, Nantker, Negley, Nisbett, Noble, O'Donnell, O'Neil (Eugene M.), O'Neil (John), Patterson, Powers, Reiman, Rodgers, Schwarm, Shipton, Sorg, Sterling, Vierheller, Watson, Aiken—40.

Noes—Mr. Chambers—1.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Ordered that the Clerk transmit the same to Common Council, for concurrence

Mr. **Powers** moved

To suspend the rule, to allow the consideration of S. C. bill, No. 86, an Ordinance entitled "An Ordinance fixing the number of the Police Force of the City of Pittsburgh." C. C. passed.

Which motion prevailed.

And Council proceeded to the consideration of the bill.

Which was read a first time and agreed to.

Mr. **Powers** moved

To suspend the rule, to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended, the bill was read a second time and agreed to.

And the title was read and agreed to.

And the bill was read a third time and agreed to

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Atkinson, Baum, Bruce, Duff, Foster (Alex. W.), Foster (W. S.), Fox, Garrison, Gourley, Gray, Holliday, Kerr, Lagerman, Littell, Moore (W. J.), McCandless, McClurg, McKinley, Nantker, Nisbett, O'Donnell, O'Neil (John), Patterson, Powers, Reiman, Shipton, Sorg, Sterling, Vierheller, Watson, Aiken—32.

Noes—Messrs. Carr, Holmes, Meyer, Negley, Rodgers, Schwarm—6.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass finally.

Mr. **McCandless** presented

[154.] Petition of John Gaither, for refunding of overpaid tax.

Which was referred to Board of Assessors.

Mr. **Littell** presented,

[155.] An Ordinance amending sections two and four of an Ordinance entitled "An Ordinance to provide for the safe keeping and custody of the funds of the city," dated 7th February, 1870.

Which was referred to the Finance Committee.

On motion, Council adjourned.

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MONDAY, APRIL 2, 1877.

No. 13.

Municipal Record.

COMMON COUNCIL.

W. B. NEGLEY PRESIDENT
GEORGE BOOTH.....CLERK.

PITTSBURGH, April 2d, 1877.

Council met, pursuant to the following call.

To Geo. Booth, Clerk of Common Council:

SIR—You will, by direction of the Finance Committee, call a meeting of Common Council, for Monday, April 2d, 1877, at 2 P. M., to receive a report from the Finance Committee, C. C. No. 100, entitled "An Ordinance authorizing a temporary loan for the payment of interest on bonds issued for the improvement of avenues and streets, under the provisions of the Penn Avenue Act."

Which was read.

Present—Messrs. Aull, Belfore, Bigham, Blume, Egan, Frauenheim, French, Fennerty, Foley, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kohne, Miller, Manning, McCafferty, McKinley, Nantker, Neeb, O'Donnell, Pier, Rahausser, Rea, Thomson, Wamhoff, Weisser, Young, and President Negley.

Absent—Messrs. Dierst, Forsythe, Gallisath, Gallagher, Hogle, Kirchner, McClarran (R. M.), McClarran (Newton), Schuman, Schwann, Voskamp, Wainwright, Walker.

The Clerk of Select Council being introduced, reported for concurrence,

[C. C., No. 100.] Entitled "An Ordinance authorizing a temporary loan for the payment of interest on bonds issued for the improvement of avenues and streets, under the provisions of the Penn Avenue Act."

Also,

That Select Council had concurred in the action of Common Council, in the following business:

[No. 12, C. C.] Entitled "An Ordinance authorizing the opening of Forty-seventh street, from the south side of the A. V. R. R. to the north side of the A. V. R. R."

[No. 16, C. C.] Report of the Viewers on the opening of Station street, from Frankstown avenue to the Penn'a. railroad.

[No. 17, C. C.] Report of the Viewers on the opening of Knox avenue, from Brownsville road to the city line.

[No. 18, C. C.] Report of the Viewers on the opening of Osage lane, from Penn avenue to the line of property of Stacy Lloyd's heirs.

[No. 97, C. C.] Plan of lots laid out by Dr. A. H. Gross.

And Common Council proceeded to the consideration of

[C. C., No. 100.] Entitled "An Ordinance authorizing a temporary loan for the payment of interest on bonds issued for the improvement of avenues and streets under the provisions of the Penn avenue Act."

Which was read.

And the rule was suspended for the consideration, third reading and final passage of the bill.

And the bill was read a second time.

Mr. **Foley** moved

To amend the bill by striking out the words "four hundred and two thousand four hundred and thirty-three dollars and fifty cents," and insert in lieu thereof the words, "two hundred and one thousand two hundred and sixteen dollars and seventy five cents."

On which a division was had, and the ayes were 8 and the noes were 20.

So the motion did not prevail.

And the bill was read a third time

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Blume, Egan, Frauenheim, French, Fennerty, Hanlon, Johnston, Kinzer, Kemler, Kohne, Miller, Manning, McKinley, Nantker, Neeb, O'Donnell, Rahausser, Thomson, Wamhoff, Weisser, Young, Negley—24.

Noes—Messrs. Foley, Higgins, McCafferty, Pier, Rea—5.

Mr. Bigham declined to vote.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Mr. **Neeb** presented the following:

[125.] Whereas, It is universally acknowledged that the Councils of the city of Pittsburgh are too cumbersome bodies for the proper transaction of the business of the city; and

Whereas, it is an anomaly unprecedented in this country, that the higher body has a larger number of members than the popular branch of the legislative government; therefore, be it

Resolved, That the Legislative Committee of these Councils be and they are hereby instructed and directed to prepare a draft and an Act of Assembly providing for a reduction of the membership of Select Council to about one-fifth of its present membership, (say 12 to 15 members, and the membership of the Common Council to about one-half of its present membership (say from 20 to 25 members).

Resolved, That the contemplated bill shall provide for the division of the city into Select and Common Council districts respectively, composed of one or more wards or parts of wards of contiguous territory. The Select Council districts shall embrace as near an equal number of taxables as possible, and each district shall not elect more than one member to the Select branch of the city Council, and each Common Council district shall elect not more than three members nor less than one member, in proportion to the number of taxables.

Resolved, That the Legislative Committee have said bill prepared before January 1st, 1878, and that

the same be presented at the next session of the Legislature and its passage urged.

Which was read.

Mr. **Neeb** moved

That the rule be suspended, to allow the consideration and final passage of the resolutions.

Which did not prevail.

Mr. **Weisser** presented

[126.] Petition for gas lamp corner of Sixteenth and Mulberry streets.

Which was referred to the Committee on Gas Lighting.

Mr. **Neeb** called up

[No. 125.] Resolution for the preparation of an Act of Assembly for the reduction of the number of Councilmen.

Which was read.

Mr. **Neeb** moved

The final passage of the resolution.

Mr. **Egan** moved

That further action be indefinitely postponed.

On which a division of the vote was had, and the ayes were 10 and the noes were 14.

So the motion did not prevail.

Mr. **Aull** moved

To refer the bill to the Committee on Finance.

Which prevailed.

And the bill was so referred.

Mr. **Fennerly** presented.

[127.] Resolved, That the Presidents of Councils be directed to appoint a committee to apportion the members of Common Council, in accordance with the City Charter.

Which was read and passed.

Adjourned.

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MONDAY, APRIL 9, 1877.

No. 14.

Municipal Record.

SELECT COUNCIL.

DAVID AIKEN.....PRESIDENT.
E. S. MORROW.....CLERK.

PITTSBURGH, April 9, 1877.

Council met.

Present—Messrs. Atkinson, Barclay, Baum, Boyd, Bradley, Brown (L. T.), Bruce, Burns, Carr, Chambers, Dannals, Darlington, Duff, Evans, Felker, Foster (Alex. W. Jr.), Foster (W. S.), Fox, Fullerton, Garrison, Gourley, Herron, Hoch, Holliday, Holmes, Kelly, Kernan, Kerr, Lambie, Lappan, Littell, Meyer, Moore (W.), Moore (W. J.), McCandless, McClurg, McKinley, Negley, Nisbett, Noble, O'Donnell, O'Neill (E. M.), O'Neil (John), Owens, Patterson, Reiman, Rodgers, Schild, Schwarm, Shipton, Sorg, Sterling, Taylor, Vierheller, Watson, Welsh and President Aiken.

Absent—Messrs. Ahl, Buckley, Gray, Griffith, Miller, Kennedy, Lagerman, MacConnell, Nautker, Nusser, Powers, Rulfe, Sawyer.

The minutes of the previous meeting were read and approved.

The President presented the following:

[156.] Message from Hon. Wm. C. McCarthy, Mayor, returning to Councils, S. C. bill, No. 100, an Ordinance entitled "An Ordinance authorizing a temporary loan for the payment of interest on bonds issued for the improvement of avenues and streets, under the provisions of the Penn avenue Act," without his signature.

PITTSBURGH, April 6th, 1877.

To the President and Members of the Select Council, City of Pittsburgh:

An Ordinance purporting to be for the purpose of providing by temporary loan for the accrued interest on the bonds issued for the improvement of Penn avenue and other streets, has been submitted to me for my approval, which I withhold.

In the preamble to the Ordinance is the following language, declaratory of its object and purpose: "To meet the payment of accrued interest on the bonds issued for the improvement (under the Penn avenue Act) of said streets." Further on in the preamble is recited a portion of the 22d section of the Penn avenue Act relied on for the authority to issue the bonds for the proposed temporary loan: "If any interest shall become due on said bonds when there is no fund from which to pay the same, the Councils of the city of Pittsburgh shall be authorized to make a temporary

loan for the purpose of paying the same." It will thus be seen that the alleged purpose of the Ordinance under inspection is to provide for the payment of interest on Penn Avenue improvement bonds, which has already accrued and remains unpaid, and that this alleged purpose conforms to the law as recited in the preamble to the Ordinance.

The question that now presents itself is: Does the Ordinance itself conform to the law and its alleged purposes? I have before me the official information that the accrued and unpaid interest on these bonds at this time is \$164,881.50, while the Ordinance authorizes the issue of bonds to the extent of \$402,433.50, being \$237,552 in excess of what the law permits, and in excess of the declared purpose of the Ordinance.

WM. C. MCCARTHY, Mayor.

Which was read and received.

Whereupon Council, agreeably to law, proceeded to the reconsideration of the bill referred to in the message, S. C. bill, No. 100, an Ordinance entitled "An Ordinance authorizing a temporary loan for the payment of interest on bonds issued for the improvement of avenues and streets under the provisions of the Penn avenue Act."

And on the question, "Shall the bill pass, notwithstanding the objections of the Mayor?"

The ayes and noes were directed to be taken, and were:

Ayes—Messrs. Atkinson, Baum, Brown (L. T.), Bruce, Burns, Carr, Darlington, Evans, Felker, Foster (A. W.), Foster (W. S.), Fullerton, Garrison, Herron, Holliday, Kerr, Lambie, Lappan, Littell, Moore (W.), Moore (W. J.), McCandless, McClurg, McKinley, Negley, Nisbett, O'Neill (E. M.), O'Neil (John), Owens, Reiman, Schild, Shipton, Vierheller, Watson, Welsh, Aiken—36.

Noes—Messrs. Barclay, Boyd, Bradley, Chambers, Dannals, Duff, Fox, Gourley, Hoch, Holmes, Kelly, Kernan, Meyer, Noble, O'Donnell, Patterson, Rodgers, Sorg, Sterling, Taylor—20.

So the question was decided in the negative, and the veto of the Mayor was sustained.

The Clerk of Common Council having been introduced, presented the following papers for concurrence: [C. C., No. 117.] Petition for the repaving of Sixth street, from Liberty street to Penn avenue.

In C. C. referred to Board of Viewers.

[C. C., No. 122.] Joint resolutions for the appointment of a committee to enquire into the subdivision of Pittsburgh into five municipalities for local government, and remaining one city for all general purposes.

In C. C. referred to Finance Committee and ordered that enough copies be printed for the use of the members.

[C. C., 123.] Resolution requiring the City Engineer to report on the condition of Main street.

[C. C., 127.] Resolution for the appointment of a committee to apportion members of Common Council.

Which, in C. C., were severally read three times and passed.

[C. C., 124.] Report of Viewers of Street

Improvements on the benefits and damages caused by the opening of Exchange alley, from Barker's alley to Seventh street.

Which, in C. C., was read and approved.

And announced that Common Council had concurred with Select Council in the action had on the following papers:

[C. C. bill, No. 69.] An Ordinance granting Tibby Bros. right to erect an iron-clad building.

[C. C. bill, No. 70.] An Ordinance granting John Gillroy right to erect a frame building on Carson street, 34th ward.

[C. C. bill, No. 71.] An Ordinance granting A. E. McCandless right to erect a frame stable.

[C. C. bill, No. 104½.] An Ordinance granting T. A. Gillespie right to erect an iron-clad building.

[S. C., No. 142.] Remonstrance of property owners in 30th ward, against appropriation for payment of interest on streets improved under the Penn avenue Act.

[S. C. No. 152.] Preliminary report of the Board of Viewers on C. C. bill, No. 7, an Ordinance authorizing the opening of Centre avenue.

[C. C. bill, No. 7.] An Ordinance authorizing the opening of Centre avenue, from Neville street to Liberty avenue.

[S. C., No. 152.] Resolution condemning the passage of Senate bill, No. 102.

[C. C. bill, No. 86.] An Ordinance establishing the grade of Beech alley, from Gist street to Seneca street.

[C. C. bill, No. 10.] An Ordinance authorizing the assessment of the cost of construction of a bridge over Boundary street, on the line of Forbes street.

Mr. Schild presented the following:

[157.] Resolved, That the Mayor be directed to issue his proclamation for a special election for a member of Select Council from the First ward, for the unexpired term of Wm. B. Hunter, deceased.

Which, the rule having been suspended, was read three times and passed.

Mr. Moore (Wm.),

[158.] Petition of Mrs. McNally for privilege to construct a sewer, on Second avenue.

Which was referred to the Committee on Streets.

Mr. Herron,

[159.] Whereas, The Supreme Court has decided that the present method of assessing the cost of streets improved under the Penn avenue Act is illegal, and,

Whereas, Further legislation is necessary to cure the defect, therefore, be it

Resolved, That the Presidents of Councils be and are hereby directed to appoint a joint select committee of nine, with instructions to prepare a draft of an Act of Assembly, providing for the re-assessment of the cost of said improvements, and report the same to Councils for approval.

Which were read.

Mr. Lambie, presented the following as a substitute:

[160.] Whereas, Serious differences of opinion exist, not only between members of Council, but between the citizens of the different portions of the city, as to the most equitable and just method of taxation for the purpose of raising the means to pay the principal and interest of the indebtedness incurred for paving streets and avenues under the act known as the Penn avenue act and its supplements, and

Whereas, The credit of the city is likely to be impaired by a long continuance of these differences and the discussion incident thereto, and

Whereas, We are desirous of sustaining the credit of the city and making provision for the payment of all her just liabilities, now, therefore, be it

Resolved, That the Presidents of Select and Common Councils shall appoint forthwith a joint committee of nine for the purposes hereinbefore mentioned;

said committee to consist of four members of Select and five members of Common Council; and that said committee shall contain three persons from that portion of the city composed of the wards from one to twelve, inclusive, three from the South Side wards, and three from the balance of the city.

Resolved, That it shall be the duty of said committee to endeavor to reconcile the conflicting interests and to devise a method for the assessment of the cost of all such improvements, so that equal and exact justice may be done to all portions of the city; to inquire and report to Councils what legislation, if any, is necessary in order to carry out the object of these resolutions; to prepare and report to Councils the form of such Acts of Assembly and Ordinances as will, in its judgment, best accomplish the desired result.

Which were read and accepted.

Mr. Littell moved

To suspend the rule, to allow the third reading and final passage of preambles and resolutions.

Which motion prevailed.

And the rule having been suspended,

The resolutions were read a second time.

Mr. O'Neil (John) moved

To amend the first resolution by striking out the words "the Presidents of" and also striking out the word "appoint" and inserting in lieu thereof the word "elect."

On which motion a division was had, and there were eighteen ayes and twenty noes.

So the motion was decided in the negative.

And the resolutions, as read a second time, were agreed to:

And the preambles were read a second time, and agreed to.

And the resolutions were read a third time, and passed.

And the preambles were read a third time, and adopted.

Mr. Darlington,

[161.] An Ordinance repealing an Ordinance authorizing the opening of Exchange alley, from Barker's alley to Seventh street.

Which was referred to the Street Committee.

Mr. Herron,

[162.] A petition for the location of Munroe street, 13th ward.

Which was referred to the Survey Committee.

Also,

[163.] Resolved, That the Fire Commission be requested to adopt a regulation preventing the fast driving or galloping of horses attached to fire apparatus, in going to or returning from fires.

Which was read and further action postponed.

Mr. Lambie,

[164.] A remonstrance against the reduction of the pay of the police force of the city of Pittsburgh.

Which was read and received.

Mr. Welsh,

[165.] The resignation of Andrew Griffith as a member of Select Council from the 12th ward.

Which was read and accepted.

Also,

[166.] Resolved, That the Mayor be and is hereby instructed to issue his proclamation for an election for one member of Select Council in the 12th ward, to fill the vacancy caused by the resignation of Andrew Griffith.

Which was read a third time and finally passed, under a suspension of the rules.

Mr. McKinley,

[167.] Resolved, That the City Controller be and he is hereby authorized to issue a warrant in favor of Thomas Hogan, to the amount of \$3.00, on account of overpaid tax, and charge the same to the Contingent Fund. The said Thomas Hogan was not in business during the year 1876.

Which was referred to the Finance Committee.

Mr. Taylor.

[168.] An Ordinance authorizing the assessment of damages and benefits caused by the grading of Garden street, from Forty-fourth street to Forty-fifth street.

Which was referred to the Street Committee.

The President.

[169.] An Ordinance authorizing the grading of Centre avenue, from Neville street to Liberty ave.

Which was referred to the Road Committee.

Also,

[170.] A petition for the grading of Aiken avenue, from Fifth avenue to Centre avenue.

Which was referred to the Road Committee.

Also,

[171.] An Ordinance authorizing the grading of Aiken avenue, from Fifth avenue to Centre avenue.

Which was referred to the Board of Viewers of Street Improvements and the Road Committee.

Mr. Carr called up, by leave,

[S. C. No. 88.] A resolution vacating the seat of Jacob Nusser, member of Select Council from the 27th ward.

Read a third time and failed to pass February 26, for want of a legal majority.

Mr. Carr moved,

The final passage of the resolution.

Which motion prevailed.

And the resolution was finally passed.

Mr. Duff presented,

[172.] Petition from the Birmingham School Sub-district, 28th ward, for suitable crossings at intersection of Washington, Fourteenth and Fifteenth streets.

Which was referred to the Street Committee.

Mr. McCandless.

[173.] A report from the Water Committee, covering an account of the expenditures for the month of March, 1877, amounting to \$7,723.79.

Which was read and accepted.

Also,

[174.] Annual report Superintendent of the Water Works, for the year ending January 31st, 1877.

Which was accepted and two hundred copies ordered to be printed in pamphlet form.

Mr. Barkley.

[175.] A report from the Committee on City Property, covering an account of the expenditures (\$274.50) for the month of March.

Which was read and accepted.

Mr. Noble, from the Committee on Wooden Buildings, affirmatively, as committed,

[C. C. bill, No. 116.] An Ordinance entitled, "An Ordinance granting Hutchinson's Battery, N. G. P., right to erect a wooden building."

Which was read.

Mr. Noble moved

That the rule be suspended, to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended, the bill was read a second time and agreed to.

And the title was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Barkley, Bradley, Brown (L. T.) Bruce, Burns, Carr, Chambers, Dannals, Darlington, Evans, Foster (W. S.), Garrison, Gourley, Herron, Holliday, Holmes, Kelly, Kerr, Lambie, Lappan, Littell, Meyer, Moore (Wm.) Moore (W. J.), McCandless, McClurg, McKinley, Negley, Nisbett, Noble, O'Donnell, O'Neill (E. M.), Owens, Rodgers, Schild, Schwarm, Shipton, Sorg, Sterling, Taylor, Watson, Welsh, President Aiken.—43.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Ordered, that the Clerk transmit the bill to Common Council, for concurrence.

Mr. Shipton presented

[176.] The resignation of E. M. O'Neill, as a member of Select Council from the 3d ward,

Which was read and accepted.

The Clerk of Common Council having been introduced, announced that Common Council had concurred in the action of Select Council, on

[S. C., No. 29.] Resolution for the appointment of a special committee to investigate the condition of the Sinking Funds.

The President appointed, on the part of Select Council, Messrs. Duff, Owens and Shipton.

Mr. Shipton presented

[177.] Resolved, That the Mayor be and is hereby directed to issue his proclamation for an election for Select Councilmen, one from the 3d ward, for the unexpired term of Eugene M. O'Neill, and one from the 27th ward, for the unexpired term of Jacob Nusser.

Which, the rule having been suspended, was read three times and passed.

Mr. Herron.

[178.] A report from the Committee on Allegheny Wharf, covering a statement of expenditures (\$61.67) and receipts (\$111.25) for the month of January.

Which was read and accepted.

Mr. Evans.

[179.] A report from the Committee on Roads, covering statement of expenditures (\$1,138.36) for the month of March.

Which was read and accepted.

Also,

[180.] Report of the Board of Viewers of Street Improvements, on the benefits and damages caused by the grading of Liberty avenue, from Thirty-third street to Centre avenue.

Which was read and approved.

Mr. Nisbett, by leave, called up

[C. C. bill, No. 15.] An Ordinance entitled "An Ordinance authorizing the construction of a board walk on Knox avenue, from Brownsville avenue to City Line."

Which was read once.

Mr. Nisbett moved

That the rule be suspended, to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended,

The bill was read a second time.

Mr. Nisbett presented

[181.] Preliminary Report of the Board of Viewers of Street Improvements on C. C. bill, No. 15 Ordinance for the construction of a boardwalk on Knox avenue.

Which was read and accepted.

Mr. Littell moved

To amend the bill by inserting the words, "to be constructed of two inch plank."

On which motion a division was had, and there were 10 ayes and 14 noes.

So the motion did not prevail.

And the bill, as read a second time, was agreed to.

And the title was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atkinson, Barkley, Baum, Boyd, Bradley, Brown (L. T.), Bruce, Burns, Carr, Darlington, Evans, Foster (W. S.), Garrison, Gourley, Herron, Holliday, Holmes, Kelly, Kerr, Lappan, Meyer, Moore (W.), Moore (W. J.), McCandless, McClurg, McKinley, Negley, Nisbett, Noble, O'Donnell, Owens, Rodgers, Schwarm, Shipton, Sorg, Sterling, Taylor, Watson, Welsh, Aiken—40.

Noes—Mr. Littell—1.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Council proceeded to the consideration of the unfinished business from Common Council.

[S. C. bill, No. 86.] An Ordinance entitled "An Ordinance fixing the number of the Police Force of the city of Pittsburgh."

S. C., March 26th, failed to pass for want of a legal majority.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atkinson, Baum, Brown (L. T.), Bruce, Darlington, Evans, Foster (W. S.), Garrison, Gourley, Herron, Holliday, Kerr, Lambie, Littell, Moore (W.), McCandless, McClurg, McKinley, Nisbett, Noble, Shipton, Sorg, Sterling, Watson, Aiken—25.

Noes—Messrs. Boyd, Bradley, Burns, Carr, Holmes, Kelly, Lappan, Meyer, Moore (W. J.), Negley, O'Donnell, Rodgers, Schwarm, Taylor, Welsh—15.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass finally.

Mr. **Littell** asked

That the President rule on the following question: "How many times can a bill which fails for want of a legal majority be taken up?"

The **President** stated

That the legislative practice was to take up but once after its failure to pass, a bill which had failed to pass for want of a legal majority of votes, but that he would submit the question to Councils.

Mr. **Darlington** moved

That Section 6, Rule IV, Rules of Order, shall be hereafter construed to mean that when any bill fails to pass for want of a legal majority, having a majority of the votes of the member present, it may be taken up but once afterwards for action, and when failing then to get the required number of votes for its final passage shall be considered negatived.

Which did not prevail.

Mr. **Littell** called up

[S. C. bill, No. 86.] An Ordinance entitled "An Ordinance fixing the number of the Police Force of the City of Pittsburgh."

Failed to pass this day for want of a legal majority of votes.

Mr. **Littell** moved

To amend by fixing the number at two hundred, in place of one hundred and seventy-five men.

Which motion did not prevail.

And pending the question, "Shall the bill pass finally?"

Council, on motion, adjourned.

COMMON COUNCIL.

W. B. NEGLEY.....PRESIDENT.

GEORGE BOOTH.....CLERK.

PITTSBURGH, April 9th, 1877.

Council met.

Present—Messrs. Aull, Blume, Dierst, Forsythe, Fraenheim, French, Fennerty, Foley, Gallisath, Higgins, Hanlon, Johnston, Kinzer, Kenler, Kohn, Miller, Manning, McClarran (R. M.), McCafferty, McKinley, Nantker, Neeb, O'Donnell, Pier, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Walker, Weisser, Young, Negley.

Absent—Messrs. Belfore, Bigham, Egan, Gallagher, Hogle, Kirchner, McClarran (N.), Rahausser, Wamhoff.

The minutes of the meeting of April 2d were read and approved.

Mr. **Gallisath** presented

[128.] An Ordinance to authorize the re-paving and curbing of Second avenue, from Wood street to Smithfield street.

Which was referred to the Committee on Streets.

Mr. **Neeb** presented

[129.] Resolution for payment of balance due

Wettengel & Gormly for paving Alexander street.

Referred to Committee on Finance.

Also,

[130.] Resolution for payment of balance due

John C. Howley's heirs for grading Spencer avenue.

Which was referred to Committee on Finance.

Also, (for Mr. **Bigham**), the following:

[131.] Resolved, by the Select and Common Councils of the City of Pittsburgh, That the City Attorney be requested forthwith to select two or three representative cases from the mass of Penn avenue liens filed, issue process upon them at once and rule defendants to plead, and have an application made to our County Court to have them tried by a jury, in time to go to the Supreme Court for final adjudication, at its fall term of this present year.

Which was read three times and passed finally.

Mr. **Walker** presented

[132.] Appeal of Louisa Patterson for reduction of valuation.

Referred to the Board of Assessors.

Mr. **Voskamp** presented

[133.] Petition for the repaving of Tenth street with block stone pavement.

Referred to the Committee on Streets.

Mr. **Kinzer** presented

[134.] Petition of Samuel Whitehouse for an exoneration of taxes.

Referred to the Board of Assessors.

Mr. **Pier** presented

[135.] An Ordinance amending City Code, title, Water Rents, page 311.

And moved its reference to the Committee on Retrenchment and Reform.

Mr. **Neeb** moved

To amend by referring the bill to the Committee on Water.

Mr. **Pier** moved

A suspension of the rule for the consideration of the bill.

Which prevailed.

And a division being had on the amendment, the ayes were 12 and the noes were 16.

So the amendment did not prevail.

And the bill was referred to the Committee on Retrenchment and Reform.

Mr. **Pier** presented

[136.] An Ordinance amending City Code, title Markets, page 256.

And moved its reference to the Committee on Retrenchment and Reform.

Mr. **Johnston** moved

To amend by referring the bill to the Committee on Markets.

And the rule having been suspended, a division was had, and the ayes were 13 and the noes were 15.

So the amendment did not prevail.

And the bill was referred to the Committee on Retrenchment and Reform.

Mr. **Pier** presented

[137.] An Ordinance amending the City Code, title Buildings.

Which was referred to the Committee on Retrenchment and Reform.

Also,

[138.] An Ordinance repealing an Ordinance entitled, "An Ordinance providing for the election of a Wharf master on the South Side," passed 30th December, 1872.

Which was referred to the Committee on Retrenchment and Reform.

Also, [139.] An Ordinance amending an Ordinance entitled, "An Ordinance dividing the district lately annexed into districts for street purposes," passed December 9th, 1872.

And moved its reference to the Committee on Retrenchment and Reform.

Mr. **Weisser** moved

To amend by referring to the Committee on Streets

And the rule having been suspended, a division was had, and the ayes were 7 and the noes were 16.

So the amendment did not prevail.

And the bill was referred to the Committee on Retrenchment and Reform.

Also,

[140.] An Ordinance authorizing the assessment of damages and benefits caused by the grading of Locust street, from Shingiss street to Miltenberger street.

And moved its reference to the Committee on Streets.

Mr. **Neeb** moved

To amend by referring the bill to the Committee on Retrenchment and Reform.

And the rule having been suspended, the amendment did not prevail.

And the bill was referred to the Committee on Streets.

Mr. **Aull** presented

[141.] Petition of A. W. Gillett for the establishing of the grade of an alley, from Linden to Dallas avenues, 21st ward.

Referred to the Committee on Surveys.

Mr. **Young** presented the following:

[142.] Resolved, That the City Controller be and he is hereby authorized and directed to make all warrants on the City Treasurer drawn on pay rolls for the months of March, April, May and June, 1877, payable on and after July 27th, 1877.

Resolved, That the City Treasurer be and he is hereby instructed and directed, on and after the 27th of July, 1877, to receive in payment of any taxes or moneys due the City, all warrants drawn on the City Treasurer.

Which, the rule having been suspended, was read three times and passed finally.

Mr. **Foley** presented

[143.] An Ordinance locating Chestnut street. Referred to the Committee on Streets.

Also,

[144.] Petition for a change of the boundary line of the 34th and 35th wards.

Referred to the Committee on Streets.

Mr. **Thomson** presented

[145.] A report from the Street Committee covering a statement of their expenditures for the month of March, as follows:

First District.....	\$ 429 84
Second ".....	337 79
Third ".....	243 13
Fifth ".....	256 82
Sixth ".....	373 84
Seventh ".....	210 32
Board of Viewers.....	516 00
Engineer's Department.....	896 16
Survey Department for the month of Jan....	388 00
Survey Department for the month of Feb....	599 50

Total..... \$4,245 40

Which was read and received.

Also, from the Street Committee, affirmatively recommended.

[S. C., 91.] Entitled "An Ordinance authorizing the construction of a boardwalk on Manor street, from tunnel under the P., V. & C. railway to P., V. & C. railway crossing."

Which was read,

And the rule having been suspended, the bill was read a second and third time.

And on the question "Shall the bill pass finally?"

the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Blume, Dierst, Forsythe, Frauenheim, French, Fennerty, Foley, Gallisath, Higgins, Hanlon, Johnston, Kinzer, Kemler, Miller, Manning, McClarran (R. M.), McKinley, Nantker, Neeb, O'Donnell, Pier, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Walker, Weisser, Young and Negley, Pres't—32.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

The Clerk of Select Council being introduced, reported for concurrence the following business:

[No. 10, C. C.] Entitled "An Ordinance authorizing the assessment of the cost of construction of a bridge over Boundary street, on the line of Forbes street."

[No. 86, C. C.] Entitled "An Ordinance establishing the grade of the south curb of Beech alley, from Gist street to Seneca street."

[No. 7, C. C.] Entitled "An Ordinance authorizing the opening of Centre avenue, from Neville street to Liberty avenue."

[No. 152, S. C.] Resolution in regard to Senate Bill, No. 102, recently passed by the Legislature.

[No. 104½, C. C.] Entitled "An Ordinance granting T. A. Gillespie right to erect an iron-clad building."

[No. 69, C. C.] Entitled "An Ordinance granting Tibby Bros. right to erect an iron-clad building."

[No. 71, C. C.] Entitled "An Ordinance granting A. Æ. McCandless right to erect a frame stable."

[No. 70, C. C.] Entitled "An Ordinance granting John Gilroy right to erect a frame building on Carson street, 34th ward."

[No. 142, S. C.] Remonstrance of property owners of the 30th ward, against appropriation for payment of interest on streets improved under Penn Avenue Act.

[No. 151, S. C.] Preliminary report of Board of Viewers on the opening of Centre avenue, from Neville street to Liberty avenue.

Mr. **Thomson**, from the Street Committee, affirmatively recommended,

[No. 53, C. C.] Entitled "An Ordinance granting to S. S. Marvin & Co. the privilege to construct and maintain a vault under Exchange alley."

Which was read.

And the rule having been suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Dierst, Forsythe, French, Foley, Gallisath, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kohne, Miller, Manning, McClarran (R. M.), McCafferty, McKinley, Nantker, Neeb, O'Donnell, Pier, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Weisser, Young—28.

Noes—Messrs. Fennerty, Walker, and President Negley—3.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Mr. **Aull** presented, affirmatively recommended by the Committee on Surveys,

[48, S. C.] Entitled "An Ordinance locating Evaline street."

Which was read.

And the rule having been suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Blume, Dierst, Forsythe, French, Fennerty, Foley, Gallisath, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kohne, Miller, Man-

ning, McClarran (R. M.), McCafferty, McKinley, Nantker, Neeb, O'Donnell, Pier, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Walker, Weisser, Young, and President Negley—33.

Noes—Mr. Frauenheim—1.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also,

From the same committee, affirmatively recommended,

[29, C. C.] Entitled, "An Ordinance changing the location of Maiden lane."

Which was read.

And the rule having been suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Blume, Dierst, Forsythe, Frauenheim, French, Fennerty, Foley, Gallisath, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kohne, Miller, Manning, McClarran (R. M.), McCafferty, McKinley, Nantker, Neeb, O'Donnell, Pier, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Walker, Weisser, Young, and President Negley—34.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Mr. Neeb presented

[146.] A report from the Committee on Police, covering a statement of their expenditures for the month of March, amounting to \$16,741 49.

Which was read and received.

Mr. Foley presented

[147.] An Ordinance changing the line between the 34th and 35th wards.

Which was referred to the Committee on Streets.

Mr. McCafferty presented

[148.] Remonstrance against the grading and paving of Hatfield street, from Forty-seventh to Forty-eighth streets.

Which was referred to the Committee on Streets.

BUSINESS FROM SELECT COUNCIL.

[No. 10, S. C.] Entitled "An Ordinance authorizing the assessment of the cost of construction of a bridge over Boundary street, on the line of Forbes street."

In S. C., March 26th, passed finally.

Which was read.

And the rule having been suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Blume, Dierst, Forsythe, Frauenheim, French, Fennerty, Foley, Gallisath, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kohne, Miller, Manning, McClarran (R. M.), McCafferty, McKinley, Nantker, Neeb, O'Donnell, Pier, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Walker, Weisser, Young, and President Negley—34.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

[No. 86, C. C.] Entitled "An Ordinance establishing the grade of the south curb of Beech alley, from Gist street to Seneca street."

In S. C., March 26th, passed finally.

Which was read.

And the rule having been suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Blume, Dierst, Forsythe, Frauenheim, French, Fennerty, Foley, Gallisath, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kohne, Miller, Manning, McClarran (R. M.), McCafferty, McKin-

ley, Nantker, Neeb, O'Donnell, Pier, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Walker, Weisser, Young, and President Negley—33.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

[No. 151, S. C.] Preliminary report of the Viewers of Street Improvements on the opening of Centre avenue, from Neville street to Liberty avenue.

In S. C., March 26th, read and accepted.

In which action C. C. concurred.

[No. 7, C. C.] Entitled "An Ordinance authorizing the opening of Centre avenue, from Neville street to Liberty avenue."

In S. C., March 26th, passed finally.

Which was read.

And the rule having been suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Blume, Dierst, Forsythe, Frauenheim, French, Fennerty, Foley, Gallisath, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kohne, Miller, Manning, McClarran (R. M.), McCafferty, McKinley, Nantker, Neeb, O'Donnell, Pier, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Walker, Weisser, Young, and President Negley—34.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

[No. 152, S. C.] Resolution in relation to Senate Bill, No. 102, recently passed by the Legislature, asking its repeal.

In S. C., March 26th, read three times and finally passed.

In which action C. C. concurred.

[No. 104½, C. C.] Entitled "An Ordinance granting T. A. Gillespie right to erect an iron-clad building."

In S. C., March 26th, passed finally.

Which was read.

And the rule having been suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Blume, Dierst, Forsythe, Frauenheim, French, Fennerty, Foley, Gallisath, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kohne, Miller, Manning, McClarran (R. M.), McCafferty, McKinley, Nantker, Neeb, O'Donnell, Pier, Rea, Schuman, Schwarm, Voskamp, Wainwright, Walker, Weisser, Young, and President Negley—33.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

[No. 69, C. C.] Entitled "An Ordinance granting Tibby Bros. right to erect an iron-clad building."

In S. C., March 26th, passed finally.

Which was read.

And the rule having been suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Blume, Dierst, Forsythe, Frauenheim, French, Fennerty, Foley, Gallisath, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kohne, Miller, Manning, McClarran (R. M.), McCafferty, McKinley, Nantker, Neeb, O'Donnell, Pier, Rea, Schuman, Schwarm, Voskamp, Wainwright, Walker, Weisser, Young, and President Negley—33.

Noes—None.

[No. 71, C. C.] Entitled "An Ordinance granting A. E. McCandless right to erect a frame building."

In S. C., March 26th, passed finally.

Which was read.

And the rule having been suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Blume, Dierst, Forsythe, Frauenheim, French, Fennerty, Foley, Gallisath, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kohne, Miller, Manning, McClarran (R. M.), McCafferty, McKinley, Nantker, Neeb, O'Donnell, Pier, Rea, Schuman, Schwarm, Voskamp, Wainwright, Walker, Young, and President Negley—32.

Noes—Mr. Weisser—1.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also,

[No. 70, C. C.] Entitled "An Ordinance granting John Gilroy right to erect a frame building on Carson street, 34th ward."

In S. C., March 26th, passed finally.

Which was read.

And the rule having been suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Blume, Dierst, Forsythe, Frauenheim, French, Fennerty, Foley, Gallisath, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kohne, Miller, Manning, McClarran (R. M.), McCafferty, McKinley, Nantker, Neeb, O'Donnell, Pier, Rea, Schuman, Schwarm, Voskamp, Wainwright, Walker, Young, and President Negley—32.

Noes—Mr. Weisser—1.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

[No. 142, S. C.] A remonstrance of property owners in the 30th ward against appropriation for payment of interest on streets improved under the provisions of the Penn Avenue Act.

In S. C., March 26th, read and accepted.

In which action C. C. concurred.

The Clerk of Select Council being introduced, announced

That the Mayor had returned to Select Council, without his approval, C. C. No. 100, entitled "An Ordinance authorizing a temporary loan for the payment of interest on bonds issued for the improvement of avenues and streets, under the provisions of the

Penn Avenue Act," with a message giving his reasons therefor.

And the question, "Shall the bill pass notwithstanding the objections of the Mayor?" was decided in the negative.

Mr. Pier called up

[No. 84, S. C.] Entitled "An Ordinance fixing the compensation to be paid the employees of the Fire Department."

In C. C., March 26th, failed to pass for want of a legal majority.

Which was read.

Mr. Pier moved

The final passage of the bill.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Blume, Dierst, Forsythe, Frauenheim, French, Fennerty, Foley, Hanlon, Johnston, Kinzer, Kohne, McCafferty, McKinley, Nantker, Pier, Rea, Schwarm, Voskamp, Wainwright, Young, and President Negley—22.

Noes—Messrs. Gallisath, Higgins, Kemler, Miller, Manning, McClarran (R. M.), Neeb, O'Donnell, Schuman, Thomson, Walker, Weisser—12.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

Mr. Aull presented the following:

[149.] Whereas, The Women's Christian Temperance Union of Allegheny County have agreed, at their own cost and expense, to furnish for the use of the public, in suitable places throughout the city of Pittsburgh, drinking fountains, of neat design and finish, calculated for the use of both man and beast, and

Whereas, Said fountains will not only be of great benefit, but will help to beautify the city, therefore,

Resolved, 1st. That permission be and is hereby granted said W. C. T. U. to have erected and located, under direction of the City Engineer, said fountains.

Resolved, 2d. That the city of Pittsburgh hereby agrees to make the necessary connections and furnish water for the same.

Which, the rule having been suspended, was read three times and passed finally.

Mr. Thomson presented

[150.] Entitled "An Ordinance authorizing a temporary loan for the payment of interest on bonds issued for the improvement of avenues and streets under the provisions of the Penn Avenue Act."

Which was referred to the Committee on Finance.

Adjourned.

Municipal Record.

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VOL. 10.

MONDAY, APRIL 16, 1877.

NO. 15.

Municipal Record.

SELECT COUNCIL.

DAVID AIKEN, JR.....PRESIDENT.
E. S. MORROW.....CLERK.

PITTSBURGH, April 13, 1877.

E. S. Morrow, Clerk of Select Council :

SIR—By direction of the Finance Committee you will call a meeting of Select Council for Monday, April 16, 1877, at two o'clock P. M., to consider an ordinance to provide for a temporary loan for payment of the interest on bonds issued under the Penn Avenue act.

Yours,

R. M. SNODGRASS,
Clerk of the Finance Committee.
PITTSBURGH, April 16, 1877.

Council met pursuant to the foregoing call.
Present—Messrs. Ahl, Barckley, Baum, Boyd, Bradley, Brown (L. T.), Burns, Carr, Dannals, Darlington, Duff, Evans, Foster (Alex. W., Jr.), Foster (W. S.), Fox, Fullerton, Gourley, Gray, Herron, Hoeh, Holliday, Holmes, Kerr, Lappan, Littell, Miller, Moore (Wm.), McCandless, McClurg, McKinley, Nantker, Negley, Nisbett, O'Donnell, O'Neil, Owens, Patterson, Powers, Reiman, Rodgers, Rolfe, Shipton, Sorg, Taylor, Watson, Welsh, and Aiken, President.

Absent—Messrs. Atkinson, Brown (Samuel S.), Bruce, Buckley, Chambers, Felker, Garrison, Kelly, Kennedy, Kernan, Lagerman, Lambie, Meyer, Moore (W. J.), MacConnell, Noble, Sawyer, Schild, Schwarm, Sterling, Vierheller.

The minutes of the last meeting were read and approved.

Mr. **Shipton**, from the Finance Committee,

Affirmatively as committed,
C. C. bill No. 150. An ordinance entitled, an ordinance authorizing a temporary loan for the payment of interest on bonds issued for the improvement of avenues and streets, under the provisions of the Penn Avenue act.

Which was read once.

Mr. **Shipton** moved,

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended, the bill was read a second time.

Mr. **Duff** moved,

To amend Section 1, by striking out the words, "One hundred and eighty-four thousand six hundred and fifty-one dollars," and inserting in lieu thereof the words, "One hundred and sixty-four thousand and eight hundred and eighty-one dollars."

Which motion did not prevail.

And the bill as read a second time was agreed to.

And the bill was read a third time and agreed to.

And on the question, shall the bill pass finally?

The ayes and noes were taken agreeably to law and were:

Ayes—Messrs. Ahl, Baum, Boyd, Bradley, Brown (L. T.), Carr, Darlington, Evans, Foster (Alex. W.), Foster (W. S.), Fox, Fullerton, Gourley, Gray, Herron, Hoeh, Holliday, Holmes, Kerr, Lappan, Littell, Miller, Moore (Wm.), McCandless, McClurg, McKinley, Nantker, Negley, Nisbett, O'Neil, Owens, Powers, Reiman, Rolfe, Shipton, Sorg, Watson, Welsh, Aiken, President—39.

Noes—Messrs. Dannals, Duff, O'Donnell, Patterson, Rodgers, Taylor—6.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Mr. **Darlington** moved,

That Council adjourn.

Which motion did not prevail.

Mr. **Shipton**, from the Finance Committee, by leave, presented,

[181] A report covering and recommending the passage of accompanying resolution for warrants in payment of sundry bills, chargeable to appropriation No. 13.

Which was read and accepted.

Also, the following:

[182] *Resolved*, That the Controller be directed to issue his certificate on the Mayor for warrants in favor of the following named persons, for the amount set opposite their names, respectively:

Armor, Fuerhake & Co.....	\$ 66 00
George McIntyre.....	884 75
W. S. Jackson.....	1,543 98
R. F. Kennedy.....	603 96
John Fitzsimmons.....	520 00
Peter O'Neil.....	335 55
M. Addis.....	45 40
Stevenson & Foster.....	290 04

And charge appropriation No. 13.

Which was read.

And the rule having been suspended the resolution was read a second and third time and finally passed.

Also,

[183] A report from the Finance Com-

mittee covering and recommending the reference to the Committee on Legislation of C. C. No. 125. A resolution for the reduction of the membership of Councils.

Which was read and accepted.

And on motion of Mr. **Shipton** the resolution was referred to the Committee on Legislation.

Mr. **Herron**.

[184] Petition of D. H. Toomey for exoneration from over-assessed taxes.

Which was referred to the Finance Committee.

Mr. **Sorg**.

[185] Petition of Fischer, Thomas & Co., for payment of a bill for sewer castings furnished for Hiland avenue extension, in 1874.

Which was referred to the Finance Committee.

And on motion Council adjourned.

Municipal Record.

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VOL. 10. WEDNESDAY, APRIL 18, 1877. NO. 16.

Municipal Record.

COMMON COUNCIL.

W. B. NEGLEY.....PRESIDENT.
GEORGE BOOTH.....CLERK.

April 18, 1877.

Council met pursuant to the following call:
George Booth, Esq., Clerk of Common Council:
SIR—By direction of the Finance Committee you will call a meeting of Common Council for Wednesday, April 18, 1877, at two o'clock P. M., to consider an ordinance to provide for a temporary loan for the payment of the interest on bonds issued under the Penn Avenue act.

Respectfully yours,

R. M. SNODGRASS,
Secretary.

Which was read.

Present—Messrs. Aull, Bigham, Blume, Dierst, Frauenheim, French, Fennerty, Gallisath, Higgins, Johnston, Kemler, Kirchner, Miller, Manning, McKinley, Neeb, O'Donnell, Pier, Rahausser, Schuman, Thomson, Wainwright, Walker, Wamhoff, Weisser.

Absent—Messrs. Belfore, Egan, Forsythe, Foley, Gallagher, Hanlon, Hogle, Kinzer, Kohne, McClarran (E. M.), McClarran (Newton), McCafferty, Nantker, Rea, Schwarm, Voskamp, Young and Negley.

In the absence of President Negley,
Mr. Thomson was called to the chair.

Mr. Aull moved,

That the reading of the minutes of the last meeting be dispensed with.

Which prevailed.

The Clerk of Select Council being introduced, reported the following business for concurrence:

[150 C. C.] Entitled "An ordinance authorizing a temporary loan for the payment of interest on bonds issued for the improvement of avenues and streets, under the provisions of the Penn Avenue act."

[177 S. C.] Resolution ordering special elections in the Third and Twenty-seventh wards for members of Select Council, for unexpired terms of E. M. O'Neill and Jacob Nusser.

[160 S. C.] Resolution for the appointment of a special committee to prepare a draft of an act of Assembly for the assessment of streets and avenues, improved under the Penn Avenue act and its supplements.

[168 S. C.] Resolution ordering a special election in the Twelfth ward, for member of Select Council to fill the unexpired term of A. Griffith, resigned.

[157 S. C.] Resolution ordering a special election in the First ward, for member of Select Council, to fill unexpired term of W. B. Hunter, deceased.

[116 C. C.] Entitled "An ordinance granting Hutchinson's Battery N. G. P.," right to erect a wooden building.

[174 S. C.] Annual report of the Superintendent of Water Works, for 1876.

And Council proceeded to the consideration of

C. C. No. 150, entitled "An ordinance authorizing a temporary loan for the payment of interest on bonds issued for the improvement of avenues and streets, under the provisions of the Penn Avenue act.

In S. C., April 16th, passed finally.

Which was read.

Mr. Aull moved,

The suspension of the rule for consideration and final passage of the bill.

Which prevailed.

And the rule having been suspended, the bill was read a second time.

And the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Bigham, Blume, Dierst, Frauenheim, French, Fennerty, Gallisath, Higgins, Johnston, Kemler, Kirchner, Manning, McKinley, Neeb, Rahausser, Schuman, Thomson, Wainwright, Walker, Wamhoff, Weisser.

Noes—Messrs. Miller, O'Donnell and Pier.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Mr. Neeb moved,

To suspend the rule to allow the taking up of other business.

Which motion prevailed.

Mr. Aull, by leave, called up C. C. No. 116, Entitled "An ordinance granting Hutchinson's Battery N. G. P., right to erect a wooden building."

In S. C., April 6th, passed finally.

Which was read.

And the rule having been suspended, the bill was read a second time.

And the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Bigham, Blume, Dierst, Frauenheim, French, Fennerty, Gallisath, Higgins, Johnston, Kemler, Kirchner,

ner, Miller, Manning, McKinley, Neeb, O'Donnell, Pier, Rahausen, Schuman, Thomson, Wainwright, Walker, Wamhoff, Weiser.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Mr. **Wainwright** presented,

[151] Entitled "An ordinance authorizing the opening of Smallman street, from Thirty-sixth street to Thirty-seventh street.

Which was referred to the Committee on Streets.

Also,

[152] Entitled "An ordinance authorizing the grading, paving and curbing of Smallman street, from Thirty-sixth street to Thirty-seventh street.

Which was referred to the Committee on Streets.

Mr. **Neeb**, by leave, called up

[160 S. C.] Entitled "Resolution for the appointment of a select committee to prepare a draft of an act of Assembly for the assessment of the cost of avenues and streets, improved under the provisions of the Penn Avenue act."

In S. C., April 9th, passed finally.

Which was read.

Mr. **Neeb** moved,

To suspend the rule for the final passage of the resolution.

Mr. **Johnston** moved,

To postpone action until the next regular meeting.

Which prevailed.

And action was postponed until the next regular meeting.

Mr. **Fennerty** presented,

[153] Entitled "An ordinance granting B. Byrne right to erect an iron clad building."

Which was referred to the Committee on Wooden Buildings.

Mr. **Walker** presented,

[154] Petition for the repaving of Market street, from Fourth avenue to Liberty street.

Which was referred to the Committee on Streets.

Mr. **Gallsaith** presented,

[155] Petition of Terrance Dailey, for refunding of overpaid water tax.

Referred to the Committee on Finance.

Mr. **Dierst** presented,

[156] Resolution for the erection of a fire plug on Oneida street and Grandview avenue, at Duquesne Inclined Plane.

Referred to the Water Committee.

Adjourned.

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

VOL. 10. MONDAY, APRIL 30, 1877. NO. 17.

Municipal Record.

SELECT COUNCIL.

DAVID AIKEN, JR.....PRESIDENT.
E. S. MORROW.....CLERK.

MONDAY, April 30, 1877.

Present—Messrs. Ahl, Barclay, Baum, Boyd, Bradley, Brown (L. T.), Bruce, Buckley, Burns, Carr, Chambers, Dannals, Darlington, Duff, Felker, Foster (Alex. W.), Foster (W. S.), Fox, Fullerton, Gourley, Gray, Herron, Hoeh, Holliday, Holmes, Kelly, Kennedy, Kernan, Kerr, Lagerman, Lambie, Lappan, Littell, Meyer, Miller, Moore (Wm.), Moore (W. J.), McCandless, MacConnell, McClurg, McKinley, Nantker, Negley, Nisbett, Noble, O'Donnell, O'Neill, Owens, Patterson, Powers, Reiman, Rodgers, Rolfe, Schild, Schwarm, Shipton, Sorg, Sterling, Taylor, Vierheller, Watson, Welsh, Aiken, President.

Absent—Messrs. Atkinson, Brown (Samuel S.), Evans, Garrison, Sawyer.

The minutes of the last meeting were read and approved.

The **President** presented,

[186] A communication from the Board of Fire Commissioners announcing the expiration of the official terms of John J. Torley, John H. McIlroy and George W. Wilson as members of said Board.

Which was read and received.

Mr. Darlington moved,

That Common Council be requested to meet Select Council in joint session at three and one-half o'clock P. M., for the purpose of electing three persons to be members of the said Board of Fire Commissioners.

Mr. Holliday moved,

To amend by fixing the time for three o'clock P. M.

Which motion prevailed.

And the motion was so amended, and as amended prevailed. And the Clerk was directed to notify the Common Council of the action of this body.

Which was done.

The **President** presented,

[187] A communication from the City Engineer covering the following papers:

[188] A protest from Elizabeth F. Denny against Thirty-third street being taken off the hands of the Commissioners for said street, until the fire kindled by the em-

ployees of the contractors for the improvement of said street be first extinguished.

[189] A similar protest from the heirs of Elizabeth Herron, deceased.

Which were read and referred to the City Attorney.

Mr. Darlington,

[190] Petition of George Rodeback for an abatement of business tax.

Which was referred to the Finance Committee.

Also,

[191] An ordinance granting the P. O. & E. L. Pass. Ry. Co., the P. & S. S. and the Central Pass. Ry. Co.'s right to lay a track on Third avenue and Market street.

Which was referred to the Street Committee.

Also,

[192] An ordinance granting Murray & Elmore right to erect an iron clad building.

Which was referred to the Committee on Wooden Buildings.

Mr. Dannals,

[193] A petition for the erection of public lamps on Second avenue, near the Birmingham bridge.

Which was referred to the Committee on Gas Lighting.

Also, the following:

[194] *Resolved*, That the Controller be, and he is hereby directed to issue his certificates for warrants in favor of the following named persons, appointed by Court, to make a re-assessment of the cost of construction of Rebecca street sewer, in 1876, for the amounts set opposite their names, respectively:

H. E. White, 4 days.....\$20 00

Joseph Irwin, 4 days.....20 00

John A. Sergeant, 4 days.....20 00

And charge appropriation No. 13.

Which was read.

And the rule having been suspended, the resolution was read a second time and agreed to.

And on motion the resolution was read a third time and passed.

Mr. Barclay,

[195] Petition of Lewis Roll for refunding of overpaid taxes in the Eleventh ward.

Which was referred to the Board of Assessors.

Mr. O'Donnell,

[196] Resolution authorizing the refunding of overpaid taxes to Edward McSteen.

[197] Resolution authorizing the refunding of overpaid taxes to Vincent McSteen.

[198] Resolution authorizing the re-

funding of overpaid taxes to Michael McSteen.

Which were referred to the Board of Assessors.

Mr. McKinley,

[199] Petition of Mattulath, Berg & Herrosee for an abatement of taxes on property in the Sixteenth ward.

Which was referred to the Board of Assessors.

Mr. Aiken,

[200] *Resolved*, (Common Council concurring) That hereafter the Clerk of Council be and he is hereby instructed to message immediately upon final passage by Councils, all bills and concurrent or joint resolutions to the City Attorney, who shall without delay certify in writing as to the validity of said bills and resolutions, and return them together with his certificate to the Clerk of Council, who shall message to the Mayor a copy of said certificate at the same time said bills or resolutions are messaged for his approval.

Which was read, and the rule having been suspended, the resolution was read three times and passed.

Mr. Holmes,

[201] Petition for water pipe on Meadow street (north of Larimer avenue) and Spruce street.

Which was referred to the Water Committee.

Mr. McClurg,

[202] An ordinance amending an ordinance authorizing the opening of Mary street.

Which was referred to the Street Committee.

Also,

[203] Petition of M. Crawford for refunding of overpaid business tax.

Which was referred to the Finance Committee.

Also,

[204] Petition of Milo Crawford for exoneration of taxes.

Which was referred to the Board of Assessors.

Mr. Kerr,

[205] An ordinance amending city code, title "Buildings," Section 7.

Which was referred to the Ordinance Committee.

Mr. Noble,

[206] *Resolved*, That the Water Committee be and they are hereby authorized and directed to have a public fire hydrant erected on the corner of Maria street and Grandview avenue.

Which was referred to the Water Committee.

Mr. Meyer,

[207] An ordinance requiring the Mayor to dismiss from the police force any officer refusing to pay his just debts.

Which was referred to the Police Committee.

Mr. Rodgers, the following:

[208] Petition of Owen Traynor for refunding of overpaid taxes.

[209] Petition of Peter W. Hanlon for refunding of overpaid taxes.

[210] Petition of Wm. Corrington for refunding of overpaid tax.

Which were referred to the Board of Assessors.

Mr. Fullerton,

[211] Petition for sewer on Henry, Craig, Washington and Boundary streets,

Also,

[212] An ordinance authorizing the construction of a sewer on Henry, Craig, Washington and Boundary streets, from Dithridge street to a point on Boundary street, — feet south of Washington street.

Which were referred to the Road Committee.

The Clerk of Common Council having been introduced, presented the following papers for concurrence:

S. C. Bill No. 84. An ordinance entitled, "An ordinance fixing the compensation to be paid the employees of the Fire Department."

C. C. Bill No. 53. An ordinance entitled, "An ordinance granting to S. S. Marvin & Co. the privilege to construct and maintain a vault under Exchange alley."

S. C. Bill No. 48. An ordinance entitled, An ordinance locating Evaline street.

C. C. Bill No. 29. An ordinance entitled, An ordinance changing the location of Maiden Lane.

S. C. Bill No. 91. An ordinance entitled, An ordinance authorizing the construction of a board walk on Manor street, from Tunnel under P, V. & C. Railway to P, V. & C. Railway crossing.

Which in Common Council were severally read a third time and passed.

C. C. 149. Resolution giving the W. C. T. U. the right to erect drinking fountains, the city agreeing to furnish the water for the same.

C. C. 142. Resolution instructing the City Treasurer to receive city warrants in payment of taxes and other claims due the city.

C. C. 131. Resolution for the preparation of new cases against owners of streets improved under the Penn Avenue act.

C. C. No. 160. Resolution endorsing the Pittsburgh Exposition Society.

Which in Common Council were read three times and severally passed.

145 C. C. Report of the Committee on Streets for March.

146 C. C. Report of the Committee on Police for March.

Which in Common Council were severally read and accepted.

Mr. Schwarm presented,

[213] Report from the Mar' et Committee covering a statement of the receipts (\$1,719 39) and expenditures (\$647 68) for the month of March.

Which was read and accepted.

Mr. Shipton,

[214] Report from the Committee on Gas Lighting reporting that the expenditures in that department for March were: South Side Gas Company, \$3,875 85; East End Gas Company, \$3,377 74; West Pittsburgh Gas Company, \$3,326 21.

Which was read and accepted.

Mr. MacConnell, from the Road Committee,

[215] A preliminary report from the Board of Viewers, under the Act of May 1st, 1876, on the ordinance authorizing the grading of Aiken avenue.

Which was read and accepted.

Also, from the same committee,

Affirmatively as committed,

S. C. Bill No. 171. An ordinance entitled, An ordinance authorizing the grading of Aiken avenue from Fifth avenue to Center avenue.

Which was read.

Mr. MacConnell moved,

That the rule be suspended to allow the third reading and final passage of the

bill.

Which motion prevailed.

And the rule having been suspended, the

bill was read a second time and agreed to.

And the title was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, shall the bill pass finally?

The ayes and noes were taken agreeably to law and were:

Ayes—Messrs. Ahl, Barkley, Baum, Boyd, Bruce, Carr, Chambers, Dannals, Darlington, Felker, Foster (Alex. W.), Foster (W. S.), Fox, Fullerton, Gourley, Gray, Herron, Hoeh, Holmes, Kelly, Kerr, Lagerman, Lappan, Meyer, Moore (Wm.), McCandless, MacConnell, McClurg, McKinley, Nantker, Negley, Nisbett, Noble, O'Donnell, O'Neil, Owens, Rodgers, Schwarm, Shipton, Sterling, Taylor, Vierheller, Watson, Welsh, Aiken, President—45.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Ordered that the Clerk present the same to Common Council for concurrence.

Mr. **Herron**, by leave, called up

C. C. No. 131. A resolution directing the preparation of new cases against the owners of property abutting on streets improved under the Penn Avenue act.

Which, the rule having been suspended, was read three times and passed.

Council proceeded to the consideration of the unfinished business from Common Council.

124 C. C. Report of the Board of Viewers on the damages caused by the opening of Exchange alley from Barker's alley to Seventh street.

Mr. **Darlington** moved,

To postpone action on the report until next meeting.

Which motion prevailed.

C. C. Bill No. 2. An ordinance entitled, An ordinance authorizing vacating Hill street from Brownsville avenue to Bailey's line.

Which was read once.

C. C. Bill No. 13. An ordinance entitled, "An ordinance authorizing the assessment of damages and benefits caused by the grading of Locust street from Shingliss street to Miltenberger street.

Which was read once.

S. C. Bill No. 56. An ordinance entitled, an ordinance to repeal an ordinance entitled, "An ordinance authorizing the opening of School alley from Davison street to Sherman street," passed October 9, 1871.

Which was read once.

Mr. **Taylor** moved,

To suspend the rule to allow the third reading and final passage of the bill.

Which motion prevailed.

And the bill was read a second time.

Mr. **MacConnell** moved,

To postpone action on the bill indefinitely.

Pending the taking of the vote, the hour of three o'clock having arrived Select Council proceeded to the Common Council chamber to meet Common Council in

JOINT SESSION,

for the purpose of electing three persons to be members of the Board of Fire Commissioners.

And being so met in joint session, Council

proceeded to said election, and

Mr. **Bingham** nominated John W. Douglass.

Mr. **Dannals** nominated William Flinn.

Mr. **Darlington** nominated William Moore.

Mr. **Bruce** nominated John J. Torley.

Mr. **Boyd** nominated A. Æ. McCandless.

Mr. **Pier** nominated W. H. Dauler.

Mr. **Neeb** nominated Peter Dressler.

Mr. **Kinzer** nominated Oscar P. Tanner.

And the result of the voting was as follows:

For John W. Douglass:

Messrs. Bradley, Dannals, Felker, Foster (Alex. W.), Gray, Holliday, Kernan, Kerr, Meyer, Nantker, Noble, Rolfe, Sorg.

For William Flinn:

Messrs. Ahl, Barkley, Buckley, Burns, Carr, Chambers, Dannals, Duff, Foster (Alex. W.), Foster (W. S.), Fullerton, Gourley, Gray, Herron, Hoeh, Holliday, Kelly, Kennedy, Kernan, Lambie, Miller, Moore (Wm.), Moore (W. J.), McClurg, Negley, Nisbett, O'Donnell, O'Neil, Owens, Patterson, Powers, Rodgers, Schwarm, Sterling, Aiken, President.

For William Moore:

Messrs. Ahl, Barkley, Baum, Boyd, Bradley, Brown (L. T.), Bruce, Buckley, Burns, Carr, Chambers, Darlington, Duff, Felker, Foster (W. S.), Fullerton, Gourley, Gray, Herron, Holliday, Holmes, Kelly, Kennedy, Kernan, Lagerman, Lambie, Lappan, Littell, Meyer, Miller, Moore (Wm.), Moore (W. J.), McCandless, MacConnell, McClurg, McKinley, Negley, O'Donnell, O'Neil, Owens, Patterson, Reiman, Rodgers, Rolfe, Schild, Schwarm, Shipton, Sorg, Vierheller, Watson, Welsh.

For John J. Torley:

Messrs. Ahl, Barkley, Baum, Boyd, Bruce, Burns, Carr, Duff, Foster (W. S.), Fox, Holmes, Kerr, Lagerman, Lappan, Littell, Moore (Wm.), McCandless, MacConnell, McClurg, McKinley, Nisbett, O'Donnell, O'Neil, Reiman, Rodgers, Sterling, Taylor, Vierheller, Watson, Welsh, Aiken, President.

For A. Æ. McCandless:

Messrs. Baum, Boyd, Brown (L. T.), Buckley, Chambers, Dannals, Darlington, Felker, Fox, Herron, Kelly, Kerr, Lambie, Lappan, Littell, Meyer, Miller, Moore (W. J.), McCandless, McKinley, Nantker, Negley, Nisbett, Noble, Owens, Patterson, Powers, Rolfe, Schwarm, Sterling, Taylor, Watson, Aiken, President.

For W. H. Dauler:

Messrs. Bruce, Foster (Alex. W.), Fox, Hoeh, Kennedy, Lagerman, MacConnell, Nantker, Noble, Reiman, Schild, Shipton, Taylor, Welsh.

For Peter Dressler:

Messrs. Bradley, Darlington, Gourley, Hoeh, Powers, Schild, Shipton, Sorg, Vierheller.

For Oscar P. Tanner:

Messrs. Brown (L. T.), Fullerton.

Before the announcement of the result, Mr. **L. T. Brown** asked and obtained leave to change his vote from Oscar P. Tanner to William Flinn.

Mr. **Dannals** asked and obtained leave to change his vote from J. W. Douglass to J. J. Torley.

Mr. **A. W. Foster** asked and obtained leave to change his vote from J. W. Douglass to A. Æ. McCandless.

Mr. **Fullerton** asked and obtained leave to change his vote from O. P. Tanner to A. Æ. McCandless.

Mr. **Hoeh** asked and obtained leave to change his vote from W. H. Dauler to A. Æ.

McCandless.

Mr. Kernan asked and obtained leave to change his vote from J. W. Douglass to J. J. Torley.

Mr. McClurg asked and obtained leave to change his vote from J. J. Torley to A. E. McCandless.

Mr. Nantker asked and obtained leave to change his vote from W. H. Dauler to Wm. Moore.

Mr. Noble asked and obtained leave to change his vote from W. H. Dauler to Wm. Moore.

Mr. Reiman asked and obtained leave to change his vote from W. H. Dauler to Wm. Flinn.

Mr. Rolfe asked and obtained leave to change his vote from J. W. Douglass to Wm. Flinn.

Mr. Shipton asked and obtained leave to change his vote from W. H. Dauler to J. J. Torley.

Mr. Vierheller asked and obtained leave to change his vote from Peter Dressler to Wm. Flinn.

Mr. Gallisaith asked and obtained leave to change his vote from P. Dressler to Wm. Flinn.

Mr. Neeb asked and obtained leave to change his vote from W. H. Dauler to Peter Dressler.

Mr. Rauhauser asked and obtained leave to change his vote from J. W. Douglass to Wm. Moore.

Mr. Thomson asked and obtained leave to change his vote from W. H. Dauler to A. E. McCandless.

Mr. Wainwright asked and obtained leave to change his vote from W. H. Dauler to Wm. Flinn.

And the result of the voting was as follows:
John W. Douglass received..... 16 votes.
William Flinn received..... 66 votes.
William Moore received..... 81 votes.
John J. Torley received..... 54 votes.
A. E. McCandless received..... 63 votes.
W. H. Dauler received..... 15 votes.
Peter Dressler received..... 11 votes.
Oscar P. Tanner received..... 3 votes.

And William Moore, William Flinn and A. E. McCandless were declared duly elected members of the said Board of Fire Commissioners for the ensuing term.

And the business of the joint session being over,

Select Council returned to its own chamber, and Council resumed the consideration of S. C. Bill No. 56, an ordinance entitled, an ordinance repealing an ordinance entitled, "An ordinance authorizing the opening of School alley from Davison street to Sherman street," passed October 9, 1871.

And the question recurring on the motion to indefinitely postpone,

The motion was, leave, withdrawn.

Mr. Nisbett moved,

That the ordinance be referred to the Street Committee to report the expense already incurred for which the city would become liable.

Which motion prevailed.

S. C. Bill No. 91. An ordinance entitled, An ordinance authorizing the construction of a boardwalk on Manor street from Tunnel under P., V. & C. Railway to P., V. & C. Railway crossing.

Which was read once.

Mr. Rolfe moved,

That the rule be suspended, to allow the third reading and final passage of the bill.

Which motion prevailed.

And the bill was read a second time and agreed to.

And the title was read and agreed to.

Mr. McCandless moved,

To refer to the Board of Viewers for a report as to whether the property abutting would pay the cost of construction.

Which motion prevailed.

S. C. Bill No. 85. An ordinance entitled, "An ordinance fixing the wages to be paid to certain employees of the Street and Road Committee.

Which was read.

Mr. Shipton moved,

That the rule be suspended, to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended, The bill was read a second time and agreed to.

And the title was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Barkley, Boyd, Bradley, Brown (L. T.), Bruce, Buckley, Burns, Darlington, Duff, Fullerton, Gray, Herron, Hoeh, Holliday, Holmes, Kernan, Kerr, Lagerman, Lambie, Littell, Moore (Wm.), McCandless, MacConnell, McClurg, McKinley, Nantker, Negley, Nisbett, O'Donnell, Rodgers, Rolfe, Schwarm, Shipton, Sorg, Sterling, Vierheller, Watson, Aiken, President—39.

Noes—Messrs. Gourley, Lappan, Schild and Taylor—4.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

S. C. Bill No. 87. An ordinance entitled, "An ordinance fixing the salary of the police force of the city of Pittsburgh."

Which was read once.

Mr. Shipton moved to suspend the rule to allow the third reading and final passage of the bill.

Which motion prevailed.

Mr. Buckley moved,

To suspend further action on the bill, until after the consideration of S. C. Bill No. 84, an ordinance fixing compensation to be paid the employees of the Fire Department.

Which motion prevailed.

S. C. Bill No. 84. An ordinance entitled, An ordinance fixing the compensation to be paid the employees of the Fire Department.

Which was read.

Mr. McCandless moved,

To suspend the rule to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended, the bill was read a second time and agreed to.

And the title of the bill was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Barkley, Baum, Bradley, Bruce, Buckley, Duff, Herron, Hoeh, Holmes, Kernan, Kerr, Lagerman, Littell, Moore (Wm.), McCandless, MacConnell, McKinley, Nantker, Nisbett, O'Donnell, Rodgers, Rolfe, Shipton, Sorg, Watson, Aiken, President—27.

Noes—Messrs. Boyd, Brown (L. T.), Burns,

Chambers, Dannals, Fullerton, Gourley, Gray, Holliday, Kennedy, Lappan, McClurg, Negley, O'Neill, Schild, Schwarm, Sterling, Taylor, Vierheller, Welsh—20.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass finally.

Mr. Boyd moved,

That Council adjourn.

On which motion, a division was had, and there were nine ayes and twenty-four noes.

So the motion did not prevail, and Council proceeded to the consideration of S. C. Bill No. 87. An ordinance entitled, An ordinance fixing the salary of the police force of the city of Pittsburgh.

Which was read a second time and agreed to.

And the title was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, Shall the bill pass finally?

The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Baum, Bradley, Bruce, Heron, Hoeh, Kernan, Lagerman, Lambie, Littell, Moore (Wm.), McCandless, MacConnell, McClurg, McKinley, Nantker, Powers, Ship-ton, Sorg, Sterling, Watson, Aiken, Presi-dent—21.

Noes—Messrs. Ahl, Barclay, Boyd, Buck-ley, Burns, Chambers, Dannals, Duff, Gour-ley, Holliday, Holmes, Kennedy, Lappan, Negley, O'Donnell, O'Neill, Rodgers, Schild, Schwarm, Taylor, Vierheller—21.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass finally.

Mr. Rodgers presented,

[216] The resignation of John P. Vierheller, as a member of Select Council, from the Thirty-sixth ward.

Which was read and accepted.

Mr. Herron,

[217] Resolved, That the City Con-troller be and he is hereby authorized to issue his certificate on the Mayor for a war-rant in favor of W. H. Sims, for ten dollars, for service as page of Select Council, and charge appropriation No. 13, contingent fund.

Which, the rule having been suspended, was read three times and passed.

C. C. No. 160. Resolution endorsing the Pittsburgh Exposition Society.

Was read and passed.

And on motion, Council

Adjourned.

COMMON COUNCIL.

W. B. NEGLEY.....PRESIDENT.
GEORGE BOOTH.....CLERK.

April 30, 1877.

Council met.

Present—Messrs. Aull, Belfore, Bigham, Blume, Dierst, Egan, Forsythe, Frankenheim, French, Fennerty, Foley, Gallisath, Gallag-her, Higgins, Hanlon, Hogle, Johnston, Kin-zer, Kemler, Kirchner, Kohne, Miller, Man-ning, McClarran (R. M.), McCafferty, McKin-ley, Nantker, Neeb, O'Donnell, Pier, Rahau-sar, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Weissner, Young and Negley, President.

Absent—Mr. McClarran (Newton).

On motion of Mr. Fennerty, reading of the minutes of the previous meeting was dis-pensed with.

Mr. Johnston presented,

157. An ordinance authorizing the grading, paving and curbing of Cliff street, from east side of Cassatt street to Gum street.

Which was referred to the Committee on Streets.

Mr. O'Donnell presented,

158. Petition of James Mackrell in re-lation to the overflow of water on Twenty-fourth street.

Which was referred to the Committee on Streets.

Mr. Negley presented,

159. An ordinance to regulate all Theatrical exhibitions and public shows, and all exhibitions of whatever name or nature.

Which was referred to the Committee on Ordinances.

ALSO,

160. Resolved, That the members of Select and Common Council of the city of Pittsburgh, recognizing the Board of Mana-gers of the new Pittsburgh Exposition Soci-ety as being composed of most worthy, com-petent and public spirited citi-zens, heartily congratulate them on their enterprise, and cheerfully endorse their endeavors to give us an exhibition during autumn worthy of the resources of the large district of which Pitts-burgh is the commercial center.

Resolved, That such expositions are calcu-lated to enliven trade, stimulate enterprise, benefit the exhibitors and patrons and con-tribute to the general prosperity of all branches of industry.

Resolved, That the Select and Common Councils of Pittsburgh recommend the pro-posed exposition to the generous patronage and hearty support of our manufacturers, merchants, and the public at large.

Which were read and passed.

Mr. Rahausar presented,

161. Petition for the erection of a gas lamp at the corner of Twenty-second street and Carey alley.

Which was referred to the Committee on Gas Lighting.

Mr. Neeb presented, from the Street Com-mittee, with a recommendation that they be referred to the Board of Viewers,

123 S. C. Petition for the re-paving of Sixth street from Penn avenue to Liberty street.

AND,

154 C. C. Petition for the re-paving of Market street from Fourth avenue to Liberty street.

Which were referred to the Board of View-ers of Street Improvements, to ascertain and report whether the improvement will be of local or general benefit, or partly local and partly general, and to designate the district to be benefitted thereby, and the proportion of the cost to be assessed thereon.

ALSO,

162. An ordinance establishing the grade of Bluff street from east curb of Pride street to east curb of Stevenson street.

Which was referred to the Committee on Streets.

The Clerk of Select Council being intro-duced, reported No. 186. A communication from the Board of Fire Commissioners, an-nouncing the expiration of the terms of office of Messrs. George W. Wilson, John H. Mc-

Ilroy and John J. Torley, members of said Board.

And announced that Select Council had fixed the hour of three o'clock P. M. for meeting in joint session, for the purpose of electing three persons to fill the vacancies in said Board.

In which action Common Council concurred.

Mr. Neeb presented, from the Street Committee,

163. Entitled, "An ordinance granting Margaret McNally privilege to lay a pipe sewer on Second avenue."

Which was referred to the Committee on Streets.

Also,

215 C. C. (1876). Report of the Viewers on the grading, paving and curbing of Smallman street from Thirty-sixth street to Thirty-seventh street.

Which was read and accepted.

Also, from the Street Committee, affirmatively recommended,

151 C. C. Entitled, "An ordinance authorizing the opening of Smallman street from Thirty-sixth street to Thirty-seventh street."

Which was read.

And the rule having been suspended to allow the consideration and final passage of the bill, the bill was read a second and a third time.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Blume, Dierst, Egan, Forsythe, Frauenheim, French, Fennerty, Foley, Gallisath, Gallagher, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kirchner, McClarran (R. M.), McKinley, Nantker, Neeb, O'Donnell, Pier, Rahausser, Rea, Schuman, Schwarm, Voskamp, Wainwright, Walker, Wamhoff, Weissner, Young, Negley, President—35.

Noes—None.

And a majority of the votes being in the affirmative, the bill passed finally.

Also, from the Street Committee, affirmatively recommended,

152 C. C. Entitled, "An ordinance authorizing the grading, paving and curbing of Smallman street from Thirty-sixth street to Thirty-seventh street."

Which was read.

And the rule having been suspended to allow the consideration and final passage of the bill, the bill was read a second and a third time.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Blume, Dierst, Egan, Forsythe, Frauenheim, French, Fennerty, Foley, Gallisath, Gallagher, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kirchner, McClarran (R. M.), McKinley, Nantker, Neeb, O'Donnell, Pier, Rahausser, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Weissner, Young, Negley, President—36.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, from the Street Committee, affirmatively as amended in committee,

96 C. C. Entitled, "An ordinance authorizing the grading, paving and curbing of Thirty-fourth street from Butler street to Smallman street."

Which was read.

And the rule having been suspended to allow the consideration and final passage of the bill,

The bill was read a second and a third time.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Blume, Dierst, Egan, Forsythe, Frauenheim, French, Fennerty, Foley, Gallisath, Gallagher, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kirchner, Kohne, McClarran (R. M.), McKinley, Nantker, Neeb, O'Donnell, Pier, Rahausser, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Weissner, Young, Negley, President—37.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Referred to Board of Viewers for report.

The Clerk of Select Council being introduced, reported for concurrence.

175 S. C. Report of the Committee on City Property, for month of March.

173 S. C. Report of Committee on Water, for month of March.

178 S. C. Report of the Committee on Allegheny Wharf, for the month of January.

179 S. C. Report of the Committee on Roads, for March.

181 S. C. Communication from the Finance Committee, covering resolution (182) for the payment of sundry claims.

182 S. C. Resolution for warrants in payment of sundry claims.

183 S. C. Communication from the Finance Committee, covering resolution for reduction of number of members of Councils.

And announcing that Select Council had concurred in the action of Common Council on

No. —. C. C. Entitled, "An ordinance authorizing the construction of a boardwalk on Knox avenue."

Mr. Thomson presented, from the Street Committee, negatively recommended,

114 C. C. Entitled, "An ordinance granting the Pittsburgh and Connellsville Railroad right to erect an iron bridge on Second avenue, at Cross street, in place of present wooden structure, and providing for keeping the same in order."

Which was read.

Mr. Thomson moved,

That further action be indefinitely postponed.

Which prevailed.

Also, from the Street Committee, affirmatively as committed,

143 C. C. Entitled, "An ordinance locating Chestnut street from Wood street to Carson street."

Which was read.

And the rule having been suspended to allow the consideration and final passage of the bill, the bill was read a second and a third time.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Blume, Dierst, Forsythe, Frauenheim, French, Fennerty, Foley, Gallisath, Gallagher, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kirchner, Kohne, McClarran (R. M.), McKinley, Nantker, Neeb, O'Donnell, Pier, Rahausser, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Walker,

Wamhoff, Weissner, Young, Negley, President—37.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, from the Street Committee, affirmatively as committed.

168 S. C. Entitled, "An ordinance authorizing the assessment of the damages and benefits caused by the grading of Garden street from Forty-fourth street to Forty-fifth street."

Which was read.

And the rule having been suspended to allow the consideration and final passage of the bill.

The bill was read a second and a third time.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Blume, Dierst, Egan, Forsythe, Frauenheim, French, Fennerty, Foley, Gallisath, Gallagher, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kirchner, Kohne, McClarran, (R. M.), McCafferty, McKinley, Nantker, Neeb, O'Donnell, Pier, Rahauser, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Weissner, Young, Negley, President—40.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, from the Street Committee, affirmatively as committed.

140 C. C. Entitled, "An ordinance authorizing the assessment of the damages and benefits caused by the grading of Locust street from Shingiss to Miltenberger street."

Which was read.

And the rule having been suspended to allow the consideration and final passage of the bill.

The bill was read a second and a third time.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Blume, Dierst, Egan, Forsythe, Frauenheim, French, Foley, Gallisath, Gallagher, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kohne, McClarran, (R. M.), McCafferty, McKinley, Nantker, Neeb, O'Donnell, Pier, Rahauser, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Weissner, Negley, President—36.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, from the Street Committee, affirmatively as committed.

161 S. C. Entitled, "An ordinance repealing an ordinance entitled, an ordinance authorizing the opening of Exchange alley from Barker's alley to Seventh street," passed 27th November, 1876.

Which was read.

And the rule having been suspended to allow the consideration and final passage of the bill.

The bill was read a second time.

Mr. Egan moved,

That the bill be laid on the table.

Which did not prevail.

And the bill was read a third time.

And on the question, "Shall the bill pass

finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Dierst, Frauenheim, French, Foley, Gallagher, Hanlon, Johnston, Kohne, McClarran, (R. M.), McKinley, Nantker, Neeb, Pier, Rahauser, Schwarm, Thomson, Voskamp, Wainwright, Weissner, Negley, President—22.

Noes—Messrs. Egan, Forsythe, Kinzer, Kemler, O'Donnell, Rea, Schuman, Walker, Wamhoff, Young—10.

And there not being a legal majority of the votes of Common Council in the affirmative, the bill failed to pass.

Mr. Aull presented.

164. Report of the Committee on Surveys, covering their expenditures for the month of March.

Which was read and accepted.

Also, from the Committee on Surveys, with negative recommendation.

A report of the Viewers of Street Improvements, on the opening of School alley from Davison to Sherman streets.

Mr. Thomson moved,

That the report be referred back to the Board of Viewers.

Which prevailed.

And the report was so referred to the Board of Viewers.

Mr. Pier presented, from the Committee on Retrenchment and Reform, affirmatively recommended.

135 C. C. Entitled, "An ordinance providing for the assessment of water rents by the Board of Assessors, and repealing city code, title, "Water Rents."

Which was read.

And the rule having been suspended to allow the consideration and final passage of the bill and the bill was read a second time.

The hour of three o'clock P. M. having arrived, and that being the time fixed for meeting in joint session.

For the purpose of electing three persons to be members of the Board of Fire Commissioners, and Select Council were introduced.

And Select Council being so met with Common Council, in joint session, for that purpose,

Councils proceeded to said election,

AND,

Mr. Bigham nominated John W. Douglass.

Mr. Dannels nominated William Flinn.

Mr. Powers nominated William Moore.

Mr. Bruce nominated John J. Torley.

Mr. Boyd nominated A. E. McCandless.

Mr. Pier nominated W. H. Dauler.

Mr. Neeb nominated Peter Dressler.

Mr. Kinzer nominated Oscar P. Tanner.

And the result of the voting was as follows:

For John W. Douglass:

Messrs. Bigham, Forsythe, Foley, Gallagher, Johnston, Kinzer, Nantker, Rahauser, Schwarm.

For William Flinn:

Messrs. Aull, Belfore, Bigham, Blume, Dierst, Egan, Frauenheim, French, Foley, Gallagher, Higgins, Kemler, Kirchner, Kohne, Manning, McKinley, Rahauser, Schuman, Schwarm, Thomson, Voskamp, Walker, Wamhoff, Young.

For William Moore:

Messrs. Belfore, Blume, Dierst, Egan, Forsythe, Frauenheim, French, Fennerty, Gallisath, Higgins, Hanlon, Hogle, Johnston, Kemler, Kirchner, Kohne, Miller, McCafferty, McKinley, Neeb, O'Donnell, Schuman, Thomson, Walker, Wamhoff, Weissner, Young.

For John J. Torley:
Messrs. Aull, Belfore, Dierst, Frauenheim, French, Fennerty, Hanlon, Hogle, Johnston, Kinzler, McClarren, McCafferty, McKinley, Neeb, O'Donnell, Pier, Schuman, Wainwright, Weisser, Young, Negley, President.

For A. E. McCandless:

Messrs. Bigham, Blume, Egan, Forsythe, Foley, Gallisath, Gallagher, Higgins, Hanlon, Hogle, Kirchner, Kohne, Miller, Manning, McClarran, McCafferty, Nantker, O'Donnell, Rahausser, Schwarm, Voskamp, Wainwright, Walker, Weisser, Negley, President.

For W. H. Dauler:

Messrs. Aull, Fennerty, Miller, McClarran, Nantker, Neeb, Pier, Thomson, Voskamp, Wainwright.

For Peter Dressler:

Messrs. Gallisath, Kemler, Negley, President.

For Oscar P. Tanner:

Messrs. Kinzer, Pier, Wamhoff.

Before the announcement of the result,

Mr. **Neeb** asked and obtained leave to change his vote from W. H. Dauler to Peter Dressler.

Mr. **Rahausser** asked and obtained leave to change his vote from Wm. Douglass to William Moore.

Mr. **Thomson** asked and obtained leave to change his vote from W. H. Dauler to A. E. McCandless.

Mr. **Voskamp** asked and obtained leave to change his vote from W. H. Dauler to William Moore.

Mr. **Wainwright** asked and obtained leave to change his vote from W. H. Dauler to William Flinn.

Mr. **Gallisath** asked and obtained leave to change his vote from Peter Dressler to William Flinn.

And the result of the voting was as follows:

John W. Douglass received..... 16 votes.
William Flinn received..... 66 votes.
William Moore received..... 81 votes.
John J. Torley received..... 54 votes.
A. E. McCandless received..... 63 votes.
W. H. Dauler received..... 15 votes.
Peter Dressler received..... 11 votes.
Oscar P. Tanner received..... 3 votes.

And William Moore, William Flinn and Alex. E. McCandless were declared duly elected members of the said Board of Fire Commissioners for the ensuing year.

And the business of the joint session being over, Select Council returned to their own chamber.

And Council again proceeded to the consideration of,

135 C. C. Entitled, "An ordinance providing for the assessment of water rents by the Board of Assessors, and repealing city code, title, Water Rents."

Mr. **Neeb** moved,

To refer the bill to the Committee on Water.

Which, on a division being had, the motion did not prevail.

Ayes, 13; noes, 16.

Mr. **Foley** moved,

That the bill be referred back to the Committee on Retrenchment and Reform, with instructions to provide for a Clerk to the Water Committee.

Which motion prevailed, and the bill was so referred.

Mr. **Pier** presented, from Committee on Retrenchment and Reform, affirmatively recommended,

139 C. C. Entitled, "An ordinance

providing for the election of a Commissioner of Streets, and defining his duties."

Which was read.

Mr. **Thomson** moved,

That the bill be referred to the Committee on Streets.

Which prevailed.

And the bill was so referred.

Also, from the same committee, affirmatively recommended,

138 C. C. Entitled, "An ordinance repealing an ordinance, entitled, an ordinance providing for the election of a Wharfmaster on the South Side," passed 30th December, 1872.

Which was read.

Also, from the same committee, affirmatively recommended,

136 C. C. Entitled, "An ordinance amending Section 1, 3, 4 and 15, of an ordinance entitled, an ordinance amending the city code, title, 'Markets,'" passed November 27th A. D., 1876.

Which was read.

Mr. **Kemler** presented,

165. A report from the Committee on Monongahela Wharves, covering a statement of their receipts and expenditures for the month of March, as follows:

RECEIPTS.

North Side.....\$950 00
South Side..... 68 00

EXPENDITURES.

North Side..... 148 73
South Side..... 61 33

Which was read and accepted.

Business from Select Council:

177 S. C. Resolution authorizing special election in the Third and Twenty-seventh wards, for members of S. C.

In S. C., April 9th, passed.

Which, the rule having been suspended, was read three times and passed.

157 S. C. Resolution authorizing a special election in the First ward for member of S. C.

In S. C., April 9th, passed.

Which, the rule having been suspended, was read three times and passed.

166 S. C. Resolution authorizing a special election in the Twelfth ward, for member of S. C.

In S. C., April 9th, passed.

Which, the rule having been suspended, was read three times and passed.

174 S. C. Annual report of the Superintendent of water works for 1876.

In S. C. April 9th, 1877. Accepted, and 250 copies ordered to be printed in pamphlet form.

In which action, C. C. concurred.

175 S. C. Report of the Committee on City Property for the month of March.

In S. C., April 9th, read and accepted.

In which action, C. C. concurred.

173 S. C. Report of the Committee on Water for the month of March.

In S. C., April 9th, read and accepted.

In which action, C. C. concurred.

178 S. C. Report of the Committee on Allegheny Wharf for month of January.

In S. C., April 9th, read and accepted.

In which action, C. C. concurred.

179 S. C. Report of the Committee on Roads for the month of March.

In S. C., April 9th, read and accepted.

In which action, C. C. concurred.

181 S. C. Communication from the Fi-

nance Committee, covering resolution (182) for the payment of sundry claims.

In S. C., April 16th, read and accepted.

In which action, C. C. concurred.

182 S. C. Resolution for warrants in payment of sundry claims.

In S. C., April 16th, passed finally.

Which, the rule having been suspended, was read three times and passed.

183 S. C. Communication from the Committee on Finance, covering and recommending passage of resolution for reduction of members of Council.

In S. C., April 16th, read and accepted.

In which action, C. C. concurred.

125 C. C. Resolution for the preparation of an Act of Assembly for reduction of a number of members of Councils.

In S. C., April 16 h, referred to the Committee on Legislation.

Which was read.

Mr. Egan moved,

That the resolution be laid on the table.

Which on a division being had, the motion prevailed, by a vote of ayes 20, noes 6.

And the resolution was laid on the table.

180 S. C. Report of the Viewers of Street Improvements on the damages and benefits caused by the grading of Liberty avenue.

In S. C., April 9th, approved.

Which was approved.

Mr. Aull voting in the negative.

Mr. Kemler presented,

166. Petition of the Dithridge Glass Company for the erection of a public gas lamp at the foot of Sixteenth street.

Which was referred to the Committee on Gas Lighting.

Mr. French presented,

167. Petition of Mrs. Mingus for reduction of taxes.

Referred to Board of assessors.

Mr. Thomson presented,

168. Supplementary Petition for the repaving of Market street, from railroad track on Fourth avenue, to railroad track on Liberty streets.

Which was referred to the Board of Viewers.

Mr. Miller,

169. An ordinance granting Thomas Ogder privilege to erect a frame building in Twenty-fourth ward.

Which was referred to the Committee on Wooden Buildings.

160. S. C. Resolution for appointment of a Select Committee to prepare draft of An Act of Assembly for the assessment of street improvements.

In S. C. April 9th passed finally.

In C. C. April 18th read and action postponed.

Which was read.

Mr. Thomson moved.

The passage of the resolution.

Which prevailed and the resolution was passed.

Adjourned.

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

VOL. 10.

MONDAY, MAY 14, 1877.

NO. 18.

Municipal Record.

SELECT COUNCIL.

DAVID AIKEN, JR.....PRESIDENT.
E. S. MORROW.....CLERK.

MONDAY, May 14, 1877.

Council met.

Present—Messrs. Ahl, Atkinson, Baum, Boyd, Bradley, Brown (L. T.), Brown (Samuel S.), Bruce, Buckley, Burns, Carr, Chambers, Dannals, Darlington, Duff, Evans, Felker, Foster (Alex. W.), Foster (W. S.), Fox, Fullerton, Garrison, Gourley, Gray, Herron, Hoeh, Holliday, Holmes, Kernan, Kerr, Lambie, Littell, Meyer, Miller, Moore (W. J.), McCandless, MacConnell, McClurg, McKinley, Nantker, Negley, Nisbett, Noble, O'Donnell, O'Neill, Patterson, Powers, Reiman, Rodgers, Schwarm, Shipton, Sorg, Sterling, Taylor, Watson, Welsh, Aiken, President.

Absent—Messrs. Barkley, Kelly, Kennedy, Lagerman, Lappan, Moore (Wm.), Owens, Rolfe, Sawyer, Schild.

Mr. Bruce moved,

To postpone the reading of the minutes.

Which motion prevailed.

Mr. Herron presented,

[218] Petition of Mrs. Ellen Owens for refunding of overpaid taxes.

Which was referred to the Board of Assessors.

Also,

[219] Petition of Harry Pollitt for abatement of business tax.

[220] Petition of Kate Wagner for reduction of business tax.

[221] Petition of G. Stoy for an abatement of business tax.

Which were referred to the Finance Committee.

Also,

[222] Resolved, That the Mayor be and he is hereby requested to enforce the laws for the observance of the Sabbath, by compelling the closing of all barber shops, confectionery stores, cigar stores, &c., on the Sabbath day.

Which was read once and laid over under the rule.

Mr. O'Neill,

[223] A certificate from the Prothonotary of the Court of Common Pleas No. 1, in and for the county of Allegheny, certifying to the election of Frank C. Weigand as a

member of Select Council, from the First ward, for the unexpired term of William B. Hunter, deceased.

Which was read and approved.

And, Mr. Weigand being present, took the oath of office, which was administered to him by the President.

Mr. Ahl presented,

[224] WHEREAS, There being no street crossing for the accommodation of property holders in the center of the square between Seventeenth and Eighteenth streets, on Penn avenue, therefore,

Resolved, That the Street Commissioner be directed and required to place a street crossing at the location named.

Which was referred to the Street Committee.

Mr. Welsh,

[225] Resolved, That the Committee on Gas Lighting be requested to have a gas lamp placed on the corner of Twenty-third and Spring streets, Twelfth ward.

Which was referred to the Committee on Gas Lighting.

Mr. L. T. Brown,

[226] Petition of John O'Brien, asking to be exonerated from taxes assessed against him, on account of poverty.

Which was referred to the Committee on Appeals.

Mr. Fullerton,

[227] A remonstrance against the construction of a sewer on Henry, Craig, Neville, Washington and Boundary streets, in the Fourteenth ward.

Which was referred to the Road Committee.

Mr. O'Donnell presented,

[228] A report from the Board of Assessors, covering and recommending the passage of the following resolution:

Resolved, That the Controller be and he is hereby authorized and directed to issue his certificates on the Mayor, for warrants in favor of the following named persons, for the amounts set opposite their names, respectively, for the refunding of erroneously assessed taxes and charge the same to the contingent fund: Edward McSteen, Fifteenth ward, \$2.70; Vincent McSteen, Fifteenth ward, \$2.70, and Michael McSteen, Fifteenth ward, \$30.10.

Which was read, and the rules having been suspended the resolution was read three times and finally passed.

Mr. Patterson,

[229] An ordinance amending an ordinance, entitled, "An ordinance creating a paid fire department for the city of Pittsburgh."

Which was read and referred to the Com-

mittee on Retrenchment and Reform.

Also,

[230] An ordinance amending Section 1, city code, title, "Engineer."

Which was referred to the Committee on Retrenchment and Reform.

Mr. Duff, the following:

[231] WHEREAS, A bill in equity has been filed in the Court of Common Pleas No. 2, of Allegheny county, praying for an injunction to restrain the City Treasurer from appointing a Collector of Delinquent Taxes under the recent Act of Assembly, commonly known as bill No. 102, and also praying the said Court to declare the said bill to be unconstitutional, now therefore be it

Resolved, That in our opinion the said bill is unconstitutional, and its provisions ought not to be carried into effect.

Resolved, That the Finance Committee be instructed to file an answer joining in the prayer of said bill, and requesting the court grant the injunction prayed for.

Which were read and laid over under the rule.

Mr. Miller,

[232] Resolved, That the Street Commissioner of the Sixth district be and he is hereby directed to notify the property owners on the south side of Carson street, between Ninth and Tenth streets, to lay a brick sidewalk, in accordance with the ordinance relating thereto.

Which was referred to the Street Committee.

Mr. Miller,

[233] Petition asking Councils to direct the paving of the sidewalk on the south side of Carson street, between Ninth and Tenth streets.

Which was referred to the Street Committee.

Mr. Nantker,

[234] Resolved, That the Street Commissioner of the Sixth street district be, and is hereby authorized and instructed to notify the Pittsburgh, Virginia and Charleston Railroad Company for the immediate removal of the board sewer erected by them on pavement on Carson street, between Second and Third streets, South Side, it being a nuisance to the neighborhood, and placed there by no authority whatever.

Which was referred to the Street Committee.

Mr. Noble,

[235] Resolved, That the Street Commissioner of the Seventh district be and he is hereby directed to repair the boardwalk on Grandview avenue.

Which was referred to the Street Committee.

Mr. Shipton,

[236] A report from the Finance Committee, covering and recommending the passage of an ordinance supplementary to the ordinance passed February 7th, 1870, to provide for the safe keeping and custody of the funds of the city.

Which was read and accepted.

Also,

[237] A further supplement to the ordinance of February 7th, 1870, entitled, "An ordinance to provide for the safe keeping and custody of the funds of the city."

Which was read and referred to the Finance Committee.

Also,

[238] A report from the Finance Committee, covering and recommending the

passage of a resolution for the payment of the city assessment for the grading of Adelaide street.

Which was read and accepted.

Also,

[239] Resolved, That the City Controller shall be and he is hereby directed to issue his certificate for a warrant in favor of the City Attorney, for the sum of \$5,986 45, and charge the same to the contingent fund, said sum being due by the city as its proportion of the cost of Adelaide street.

Which, the rule having been suspended, was read three times and finally passed.

Also, from the Finance Committee, affirmatively,

[240] Resolved, That the City Controller be and he is hereby authorized to issue his certificate for a warrant in favor of John King, to the amount of \$50.54 for building boardwalks on South street and McClean avenue, and charge to the contingent fund.

Which was read.

Mr. Meyer,

[241] Resolved, That the Street Committee be and they are hereby authorized and directed to instruct the Street Commissioner of the Seventh district, to construct a box drain in Wilbert alley, from Grand avenue to Meyer avenue, provided the cost shall not exceed the sum of \$50, the same to be charged to the fund of the Seventh district.

Which was referred to the Street Committee.

Mr. Noble, from the Committee on Wooden Buildings.

Affirmatively,

S. C. Bill No. 192. An ordinance entitled, "An ordinance granting Murray & Ellmore right to erect an iron clad building."

Which was read once.

Mr. Noble moved,

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended,

The bill was read a second time and agreed to.

And the title was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Atkinson, Baum, Boyd, Bradley, Brown (L. T.), Bruce, Burns, Carr, Chambers, Dannals, Darlington, Evans, Felker, Foster (Alex. W.), Foster (W. S.), Fox, Gourley, Gray, Herron, Hoeh, Holliday, Holmes, Kernan, Kerr, Lambie, Little, Miller, Moore (W. J.), McCandless, MacConnell, McClurg, McKinley, Nantker, Nisbett, Noble, O'Donnell, O'Neil, Patterson, Reiman, Rodgers, Schwarm, Shipton, Sorg, Sterling, Taylor, Watson, Welsh, Aiken, President—49.

Noes—None.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Ordered that the Clerk transmit the bill to the Common Council for concurrence.

The Clerk of Common Council having been introduced, presented the following business for concurrence:

C. C. Bill No. 152. An ordinance entitled, An ordinance authorizing the grading, paving and curbing of Smallman street, from Thirty-sixth street to Thirty-seventh street.

In C. C. read three times and finally passed.
215 C. C. Preliminary report of the Viewers on the ordinance authorizing the grading, paving and curbing of Smallman street.

Which in C. C. was read and accepted.
C. C. Bill No. 140. An ordinance entitled, "An ordinance authorizing the assessment of damages and benefits caused by the grading of Locust street, from Shingiss street to Miltenberger street.

C. C. Bill No. 151. An ordinance authorizing the opening of Smallman street, from Thirty-sixth street to Thirty-seventh street.

C. C. Bill No. 143. An ordinance entitled, An ordinance locating Chestnut street, from Wood street to Carson street.

S. C. Bill No. 168. An ordinance entitled, An ordinance authorizing the assessment of damages and benefits caused by the grading of Garden street, from Forty-fourth street to Forty-fifth street.

Which in C. C. were severally read a third time and finally passed.

C. C. No. 164. Report of the Survey Committee for March.

C. C. No. 165. Report of the Committee on Monongahela Wharf for March.

Which in C. C. were severally read and accepted.

And announced that Common Councils had concurred with Select Council in the action had on the following papers:

S. C. 182. Resolution for warrants in favor of sundry persons.

S. C. 173. Report of Water Committee for March.

S. C. 175. Report of Committee on City Property for March.

S. C. 178. Report of Committee on Allegheny Wharf for January.

S. C. 179. Report of Committee on Roads for March.

S. C. 181. Communication from Finance Committee, relative to payment of sundry claims from appropriation 13.

S. C. 182. Communication from Finance Committee, relative to resolution for reduction of members of Council.

S. C. 160. Resolution for the appointment of a Select Committee to prepare draft of Act of Assembly for assessing street improvements.

S. C. 166. Resolution for special election in the Twelfth ward.

157 S. C. Resolution for special election in the First ward.

177 S. C. Resolution for special election in the Third and Twenty-seventh wards.

180 S. C. Report of the Viewers on the damages caused by the grading of Liberty avenue.

The President announced the following Joint Select Committee on S. C. No. 160, a resolution for the appointment of a Joint Select Committee to prepare a draft of an Act of Assembly for assessing street improvements: First to Twelfth wards, inclusive—Messrs. John S. Lambie, W. W. Thomson, P. J. Higgins.

South Side wards—Messrs. S. H. French, G. G. Rahauser, W. W. Nisbett.

East End wards—Messrs. James Littell, D. D. Bruce, W. F. Aull.

Mr. Noble, from the Committee on Wooden Buildings.

Affirmatively as committed,
C. C. Bill No. 169. An ordinance entitled, An ordinance granting Thomas Og-

den leave to erect a frame dwelling house.

Which was read once.

Mr. Noble moved,

To suspend the rule to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended,

The bill was read a second time and agreed to.

And the title of the bill was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Baum, Brown (L. T.), Bruce, Burns, Carr, Chambers, Darlington, Felker, Foster (Alex. W.), Foster (W. S.), Gourley, Herron, Hoeh, Holliday, Holmes, Kernan, Kerr, Lambie, Littell, Meyer, Miller, Moore (W. J.), McCandless, MacConnell, McClurg, McKinley, Nantker, Nisbett, Noble, O'Donnell, O'Neil, Patterson, Reiman, Schwarm, Shipton, Sorg, Watson, Welsh, Aiken, President—40.

Noes—None.

And a majority of the votes of Select Council being in the affirmative,

The bill passed finally.

Ordered that the Clerk transmit the same to Common Council for concurrence.

Also, from the same committee,

Affirmatively as committee,

C. C. Bill No. 153. An ordinance entitled, An ordinance granting B. Byrne right to erect an iron clad building.

Which was read once.

Mr. Noble moved,

That the rule be suspended, to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended,

The bill was read a second time and agreed to.

And the title of the bill was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, Shall the bill pass finally?

The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Bradley, Brown (L. T.), Bruce, Burns, Chambers, Dannals, Evans, Felker, Foster (Alex. W.), Foster (W. S.), Fox, Fullerton, Gourley, Gray, Herron, Hoeh, Holliday, Holmes, Kernan, Kerr, Meyer, Miller, Moore (W. J.), MacConnell, McClurg, Nisbett, Noble, O'Donnell, O'Neil, Patterson, Rodgers, Schwarm, Shipton, Sorg, Sterling, Taylor, Welsh, Aiken, President—39.

Noes—None.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Ordered that the Clerk transmit the same to Common Council for concurrence.

Mr. Gourley presented,

[242] A report from the Committee on City Property, covering a statement of the expenditures (\$583 32) of that department for the month of April.

Which was read and received.

Mr. Kerr, from the Ordinance Committee,

Affirmatively as committed,

S. C. Bill No. 205. An ordinance entitled, An ordinance amending the city code, title, "Buildings," Section 17.

Which was read once.

Mr. **Kerr** moved,
That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended the bill was read a second time and agreed to.

And the title was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, Shall the bill pass finally?

The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Atkinson, Baum, Brown (L. T.), Brown (Samuel S.), Bruce, Buckley, Burns, Carr, Chambers, Dannals, Duff, Evans, Felker, Foster (Alex. W.), Foster (W. S.), Fox, Fullerton, Garrison, Gourley, Gray, Herron, Holliday, Holmes, Kernan, Kerr, Lambie, Littell, Meyer, Milner, Moore (W. J.), McCandless, MacConnell, McClurg, McKinley, Nisbett, O'Donnell, O'Neil, Patterson, Reiman, Rodgers, Taylor, Weigand, Watson, Welsh, Aiken, President—47.

Noes—Messrs. Sorg and Sterling—2.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Ordered that the Clerk transmit the same to Common Council for concurrence.

Mr. **MacConnell**,

[243] A report from the Road Committee, covering a statement of the expenditures of the road department for the month of April, amounting to \$2,295 15.

Which was read and accepted.

Also, from the Road Committee,

Affirmatively as committed,
S. C. Bill No. 169. An ordinance entitled, An ordinance authorizing the grading of Center avenue, from Neville street to Liberty avenue.

Which was referred to the Board of Viewers for a report.

Also, from the Road Committee,

S. C. Bill No. 212. An ordinance entitled, An ordinance authorizing the construction of a sewer on Henry, Craig, Washington, Neville and Boundary streets, from Dithridge street to a point on Boundary street.

Mr. **MacConnell** moved,

To refer the bill to the Board of Viewers.

Mr. **Aiken** (Mr. Bruce in the Chair), moved,
To refer the bill to the Road Committee.

On which motion a division was had, and there were nineteen ayes and thirty noes.

So the motion did not prevail.

And the motion to refer to the Board of Viewers was decided in the affirmative.

Mr. **Herron** presented,

[244] A report from the Committee on the Allegheny Wharf, covering an account of the receipts and expenditures for the month of April, as follows:

Expenditures, \$61 67; receipts, \$170 50.

Which was read and received.

Mr. **Rodgers**, by leave, called up,

C. C. Bill No. 143. An ordinance entitled, An ordinance locating Chestnut street, from Wood street to Carson street.

Which was read once.

Mr. **Rodgers** moved,

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended, the bill was read a second time and agreed to.

And the title of the bill was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, Shall the bill pass finally? The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Atkinson, Baum, Bradley, Brown (L. T.), Brown (Samuel S.), Bruce, Buckley, Burns, Chambers, Dannals, Duff, Evans, Foster (Alex. W.), Foster (W. S.), Fox, Fullerton, Garrison, Gourley, Gray, Herron, Hoeh, Holliday, Holmes, Kernan, Kerr, Lambie, Littell, Miller, McCandless, MacConnell, McClurg, McKinley, Negley, Nisbett, O'Donnell, O'Neil, Patterson, Reiman, Rodgers, Schwarm, Shipton, Sorg, Sterling, Taylor, Vierheller, Watson, Welsh, Aiken, President—48.

Noes—None.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Mr. **Evans** presented the following:

[245] WHEREAS, From a recent ruling of our county Judges it appears that the assessments for the grading or paving of any street in the rural districts cannot be collected on the foot front rule, and,

WHEREAS, Sylvan avenue extension, a rural avenue, has had a large amount of money expended upon it already, and will require a further outlay of from \$15,000 to \$20,000 in order to complete it, all of which money will, under the decision of the Courts, have to be paid by the city and not by the property, under the present mode of assessment; therefore,

Resolved, That the City Solicitor be directed to give a written opinion on the power of the city to collect such assessments, and, if the property on the line of the street cannot be made pay for this improvement, to take such steps as shall prevent any further outlay of money on this street.

Which was read, and the rule having been suspended the resolution was read a second time and agreed to.

And the preambles were read a second and third time and agreed to.

And the resolution was read a third time and finally passed.

Also, the following:

[246] Resolved, That the Commissioner of the Third Road district be notified to have Second avenue, from the railroad crossing, near Glenwood to the bridge at the Nine Mile Run, put in a passable condition.

Which was referred to the Road Committee.

Mr. **O'Donnell**, by leave, called up,

C. C. Bill No. 151. An ordinance entitled, An ordinance authorizing the opening of Smallman street, from Thirty-sixth street to Thirty-seventh street.

Which was read once.

Mr. **O'Donnell** moved,

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the bill was read a second time and agreed to.

And the title was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, Shall the bill pass finally? The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Atkinson, Bradley, Brown (L. T.), Bruce, Buckley, Chambers, Dannals, Duff, Foster (Alex. W.), Foster (W. S.), Fox, Garrison, Gourley, Gray, Herron, Holliday, Holmes, Kernan, Kerr, Lambie, Littell, Miller, Moore (W. J.), McCandless, McClurg, McKinley, Negley, Nisbett, O'Neill, Reiman, Rodgers, Schwarm, Sorg, Sterling, Taylor, Vierheller, Watson, Welsh, Aiken, President—40.

Noes—None.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Mr. Dannals called up, by leave,

S. C. Bill No. 22. An ordinance entitled, An ordinance providing for the appointment and prescribing the duties and fixing the salary of the Message Clerk of Councils.

In S. C., February 12th, read a second time. Which was read a third time, and on the question, Shall the bill pass finally?

The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Baum, Bradley, Brown (L. T.), Bruce, Buckley, Burns, Evans, Foster (Alex. W.), Foster (W. S.), Fox, Fullerton, Garrison, Gourley, Gray, Herron, Holliday, Holmes, Kernan, Kerr, Lambie, Littell, Miller, Moore (W. J.), McCandless, MacConnell, McClurg, McKinley, Negley, Nisbett, O'Donnell, Rodgers, Schwarm, Sorg, Sterling, Taylor, Watson, Welsh, Aiken, President—38.

Noes—Messrs. Atkinson, Chambers, Duff, Patterson, Reiman, Weigand—6.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Mr. Herron, by leave, called up,

C. C. No. 182. The report of the Board of Viewers of Street Improvements on the repaving of Sixth street, from Liberty street to Penn avenue.

Which was read and approved.

Also, by leave, called up,

C. C. Bill No. 183. A report from the Board of Viewers of Street Improvements on the repaving of Market street, from Fourth avenue to Liberty street.

Which was read and approved.

Mr. Littell presented,

[247] An ordinance authorizing the collection of fees for certified copies of registry.

Which was referred to the Finance Committee.

Mr. Duff, by leave, called up,

S. C. No. 231. A resolution directing the Finance Committee to file an answer joining in the prayer of the bill inequity praying for an injunction to restrain the City Treasurer from appointing a Collector of Delinquent Taxes, under a recent Act of Assembly, known as Bill No. 102, and moved a suspension of the rules for the third reading and final passage of the resolution.

Which motion prevailed.

And the resolutions were read a second time and agreed to.

And the preamble was read a second time and agreed to.

And the resolutions were read a third time.

And on the question, Shall the resolution pass finally? A division was had, and there were twenty ayes and fourteen noes. Before the announcement of the result,

Mr. Bruce demanded the call of the ayes and noes.

And the demand being sustained, the ayes

and noes were ordered to be taken,

And were:

Ayes—Messrs. Atkinson, Bradley, Buckley, Burns, Carr, Chambers, Duff, Foster (W. S.), Fox, Gourley, Gray, Holliday, Hunter, Kerr, Lambie, Miller, McClurg, O'Donnell, Patterson, Reiman, Rodgers, Schwarm, Sorg, Weigand—23.

Noes—Messrs. Baum, Bruce, Dannals, Foster (Alex. W.), Garrison, Holmes, Littell, Moore (W. J.), McKinley, Negley, Nisbett, Shipton, Aiken, President—13.

So the motion prevailed, and the resolution was finally passed.

And on motion Council adjourned.

COMMON COUNCIL.

W. B. NEGLEY.....PRESIDENT.
GEORGE BOOTH.....CLERK.

MONDAY, May 14, 1877.

Council met.

Present—Messrs. Aull, Belfore, Bigham, Egan, Frauenheim, French, Fennerty, Foley, Gallisath, Higgins, Hogle, Johnston, Kinzer, Kemler, Kohne, Miller, McClarran (R. M.), McKinley, Nantker, Neeb, O'Donnell, Pier, Rahausen, Rea, Schwarm, Thomson, Wainwright, Walker, Wamhoff, Weissner, Negley, President.

Absent—Messrs. Blume, Dierst, Forsythe, Gallagher, Hanlon, Kirchner, Manning, McClarran (Newton), McCafferty, Schuman, Voskamp and Young.

On motion of Mr. Aull reading of the minutes of the previous meeting was dispensed with.

The Chair announced the appointment by the Presidents of Councils of the Select Committee, for the preparation of a draft of an Act of Assembly, for the assessment of the cost of street improvements, as follows:

First to Twelfth wards, inclusive—John S. Lambie, W. W. Thomson, P. J. Higgins.

South Side wards—S. H. French, George G. Rahausen, W. W. Nisbett.

East End wards—James Littell, D. D. Bruce, W. F. Aull.

Mr. Thomson presented the following:

170. To the President and members of Common Council of Pittsburgh:

GENTLEMEN—

In accordance with law, I hereby tender my resignation as the member of Common Council of the city Pittsburgh, from the Third ward, having removed my residence from that ward. Thanking you, one and all, for the courtesies shown me while a member of your body,

I remain yours respectfully,

JOHN N. NEEB.

Which was read, received and accepted.

Mr. Pier presented,

171. Petition of Mrs. Ellen Thomas for damages by reason of overflow of water on Fifth avenue.

Referred to Committee on Finance.

Also,

172. An ordinance entitled, "An ordinance creating the office of Wharfmaster and defining his duties."

Which was referred to the Committee on Retrenchment and Reform.

Also,

173. An ordinance entitled, "An ordinance amending city code, title, "Water

Works." Section 12.

Which was referred to the Committee on Retrenchment and Reform.

Mr. **Fennerty** presented,

174. Petition of C. Baursmith for exoneration from payment of tax erroneously assessed.

Which was referred to the Board of Assessors.

Mr. **Kohne** presented,

175. Petition for water main on Greenfield avenue.

Which was referred to the Water Committee.

Mr. **Aull** presented,

176. Petition of citizens on Penn avenue, East End, relative to the bridge over the Pennsylvania Railroad, Twentieth ward.

Which was referred to the Committee on Roads.

Also,

177. Petition for the assessment of the damages and benefits caused by the grading of Thirty-third street.

Which was referred to the Committee on Roads.

Also,

178. An ordinance entitled, "An ordinance authorizing the opening of Rowan avenue."

Which was referred to the Committee on Roads.

Mr. **Miller** presented the following:

179. *To the President and members of Common Council of the city of Pittsburgh:*

GENTLEMEN—

In accordance with law, I hereby tender my resignation as the member of Common Council of the city of Pittsburgh, from the Twentieth ward, having removed my residence from the ward.

Yours respectfully,

N. K. MILLER.

Which was read, received and accepted.

Mr. **French** presented,

180. Petition of Mrs. Westerman for exoneration of taxes.

Which was referred to the Committee on Appeals.

Mr. **Thomson** presented,

181. A report from the Committee on Streets, covering their expenditures for the month of April, as follows:

First district.....	\$1,741 60
Second district.....	1,308 99
Third district.....	1,103 05
Fifth district.....	447 32
Sixth district.....	663 48
Seventh district.....	553 63
Engineers department.....	856 66
Board of Viewers.....	478 00

Total.....\$7,152 73

Which was read and accepted.

Also, from the Street Committee, affirmatively recommended,

202 S. C. An ordinance entitled, "An ordinance amending an ordinance entitled, an ordinance authorizing the opening of Mary street, from Twenty-seventh to Thirty-second street," passed November 29th, 1875.

Which was read.

And the rule was suspended to allow the consideration and final passage of the bill.

And the bill was read a second time.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Egan, Fraenheim, French, Fennerty, Foley, Gallisath, Higgins, Johnston, Kinzer, Kemler, Kohue, McClarran (R. M.), McKinley, Nantker, O'Donnell, Pier, Rahausen, Rea, Schwarm, Thomson, Wainwright, Walker, Wamhoff, Weissner, Negley, President—28.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

Also, from the Street Committee, affirmatively recommended,

96 S. C. An ordinance entitled, "An ordinance authorizing the construction of a boardwalk on Cassatt and Crescent streets, from Cliff street to stairway, near line of Seventeenth street," produced.

Which was read.

And the rule was suspended to allow the consideration and final passage of the bill.

And the bill was read a second time.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Egan, Fraenheim, French, Fennerty, Foley, Gallisath, Higgins, Johnston, Kinzer, Kemler, Kohne, McClarran (R. M.), McKinley, Nantker, O'Donnell, Pier, Rahausen, Rea, Schwarm, Thomson, Wainwright, Walker, Wamhoff, Weissner, Negley, President—28.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

Also, from the Street Committee, affirmatively recommended,

162 C. C. An ordinance entitled, "An ordinance establishing the grade of Bluff street, from east curb of Fride street to east curb of Stevenson street.

Which was read.

And the rule was suspended to allow the consideration and final passage of the bill.

And the bill was read a second time.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Egan, Fraenheim, French, Fennerty, Foley, Gallisath, Higgins, Johnston, Kinzer, Kemler, Kohne, McClarran (R. M.), McKinley, Nantker, O'Donnell, Pier, Rahausen, Rea, Schwarm, Thomson, Wainwright, Walker, Wamhoff, Weissner, Negley, President—28.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

Also, from the Street Committee, affirmatively recommended,

163 C. C. An ordinance entitled, "An ordinance granting Margaret McNally privilege to lay a pipe sewer on Second avenue."

Which was read.

And the rule was suspended to allow the consideration and final passage of the bill.

And the bill was read a second time.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Egan, Fraenheim, French, Fennerty, Foley, Galli-

sath, Higgins, Johnston, Kinzer, Kemler, Kohne, McClarran (R. M.), McKinley, Nantker, O'Donnell, Pier, Rahausen, Rea, Schwarm, Thomson, Wainwright, Walker, Wamhoff, Weissner, Negley, President—28.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

The Clerk of S. C. being introduced, reported for concurrence the following business from S. C.:

194 S. C. Resolution for the payment of bills of Viewers on the re-assessment of the cost of construction of Rebecca street sewer.

200 S. C. A resolution requiring the City Attorney to report as to the legality of all bills and concurrent or joint resolutions.

214 S. C. Report of the Committee on Gas Lighting for the month of April.

213 S. C. Report of the Committee on Markets for the month of March.

171 S. C. An ordinance entitled, "An ordinance authorizing the grading of Alker avenue, from Fifth avenue to Center avenue."

217 S. C. A resolution for a warrant in favor of Will H. Sims. Page of S. C.

Also, announcing that S. C. had concurred in the action of C. C. in the final passage of

S. C. No. 85. Entitled, "An ordinance fixing the wages to be paid to certain employees of the Street and Road Committees."

Mr. Thomson presented, from the Committee on Streets, with a negative recommendation,

139 C. C. An ordinance entitled, "An ordinance providing for the election of a Commissioner of Streets and defining his duties."

Which was read,

Mr. Thomson moved,

That further action on the bill be indefinitely postponed.

On which a division of the vote was had, and the ayes were 16, and the noes were 11.

So the motion prevailed.

Mr. Pier demanded the calling of the ayes and noes.

The Chair decided that as he had announced the result of the voting, the demand for the ayes and noes was not in order.

Mr. Foley moved,

That the roll be called and the ayes and noes recorded as requested by Mr. Pier.

Which prevailed.

And the ayes and noes were taken, and were as follows:

Ayes—Messrs. Aull, Belfore, Egan, French, Fennerty, Foley, Gallisath, Hogle, Johnston, Kemler, Kohne, McClarran (R. M.), McKinley, Rahausen, Thomson, Walker—16.

Noes—Messrs. Bigham, Fraunheim, Higgins, Kinzer, Nantker, O'Donnell, Pier, Rea, Schwarm, Wainwright, Wamhoff, Weissner, Negley, President—13.

Mr. Thomson presented,

182 OFFICE OF THE BOARD OF VIEWERS, }
PITTSBURGH, PA., May 14, 1877. }

To the Honorable the Select and Common Councils of the City of Pittsburgh:

GENTLEMEN—

Having received from your honorable bodies the petition of property owners on Sixth street, between Penn avenue and Liberty street, relative to repaving of said street between the points named, with a pavement like that recently laid on Fifth avenue, one-fourth the cost thereof to be borne by the owners of real estate fronting on said street, on the block above mentioned. The Board of

Viewers of Street Improvements would respectfully report, after a careful examination of the case, and as far as the Board are able to judge, the proposed improvement will be of both a local and general benefit, and would take the liberty of reporting that the city of Pittsburgh pay six-tenths of the cost of said improvement, and the property owners abutting on Sixth street, from Penn avenue to Liberty street pay four-tenth of said cost.

Provided, however, the street shall be paved with material other than cobble stone.

Very respectfully submitted,

HENRY W. OLIVER, }
A. B. STEVENSON, } Board of Viewers.
SPRINGER HARBAUGH, }

Which was read, received and approved.

Also,

183 OFFICE OF THE BOARD OF VIEWERS, }
PITTSBURGH, PA., May 14, 1877. }
To the Honorable the Select and Common Councils of the City of Pittsburgh:

GENTLEMEN—

Having received from your honorable bodies the petition of property owners and others representing property, for the repaving of Market street, from the railroad track on Fourth avenue to the railroad track on Liberty street, and to report to Councils, "whether the improvement of said street will be of local or general benefit, or partly local and partly general, and to designate the district benefited, and the proportion of the cost to be assessed therefor."

The Board of Viewers of Street Improvements would respectfully report, after a careful examination of the case, and as far as the Board is able to judge, the proposed improvement will be of both a local and general benefit, and would, therefore, take the liberty of reporting that the city of Pittsburgh pay six-tenths of the cost of said improvement, and the property owners abutting on the street, from Fourth avenue to Liberty street, pay four-tenths of said cost. Provided, however, that said street shall be paved with other material than cobble stone.

Very respectfully submitted,

HENRY W. OLIVER, }
A. B. STEVENSON, } Board of Viewers.
SPRINGER HARBAUGH, }

Which was read, received and approved.

Also,

184. Communication from the Board of Viewers, asking instructions on a "Report of Viewers on the opening of School alley, from Davison street to Sherman street," referred to the Board of Viewers April 30th, 1877.

Which was read and received.

Mr. Thomson moved,

That the report and accompanying papers be referred to the Committee on Streets.

Which prevailed.

Also,

185. A report of the Viewers of Street Improvements on the opening of Forty-seventh street, from south side A. V. R. R. to north side of A. V. R. R.

Which was approved.

Also,

186. A resolution for a warrant in favor of C. L. Magee, City Treasurer, for the sum of eleven hundred and three dollars and forty-four cents, for assessment against the city of Pittsburgh on the construction of sewer on Rebecca and Coral streets.

Which was read.

Mr. Foley moved,

That further action be postponed until the next meeting, and that the Clerk be directed to notify the City Attorney to furnish Council with an explanation of the reasons why the city is assessed for this sewer.

Which prevailed.

Mr. Thomson presented, from the Committee on Police, with a negative recommendation.

207 S. C. An ordinance entitled, An ordinance requiring the Mayor to dismiss from the police force any officer refusing to pay his just debts.

Which was read.

Mr. Thomson moved, That further action be indefinitely postponed.

Which prevailed.

Mr. Kemler presented, 187. A report from the Committee on Monongahela Wharves, covering their receipts and expenditures for the month of April, as follows:

Wharf.	Receipts.	Expenditures.
North Side.....	\$955 00	\$178 28
South Side.....	205 00	78 10

Which was read and accepted.

Mr. Pier presented.

188. A report from the Committee on City Printing, covering a statement of their expenditures for the month of April, amounting to \$1,289.

And reporting the award of the following contracts:

City printing—	
Dispatch, per square, first insertion.....	16c
Dispatch, per square, second insertion.....	1c
Freiheits Freund, per square, first insertion.....	25c
Freiheits Freund, per square, second insertion.....	20c
Herald Printing Company—	
Municipal Record, per page.....	\$2 58
Stevenson & Foster—	
Printing Treasurer's receipt books.....	\$256 60
Best & Scott—	
Printing Superintendent of Water	
Works report.....	\$39 00
Printing Council files, per page.....	99

Which was read, accepted and approved.

Mr. Aull presented, from the Committee on Roads, with a negative recommendation.

No. 5 S. C. An ordinance entitled, "An ordinance authorizing the opening of Wayne street, from Stanton avenue to Hampton street."

In S. C., March 12th, 1877, passed finally.

In C. C., March 26th, referred to Committee on Roads.

Which was read.

Mr. Aull moved,

That further action on the bill be indefinitely postponed.

Which prevailed.

Business from Select Council:

171 S. C. An ordinance entitled, "An ordinance authorizing the grading of Aiken avenue, from Fifth avenue to Center avenue."

In S. C., April 30th, 1877, passed finally.

Which was read.

And the rule was suspended to allow the consideration and final passage of the bill.

And the bill was read a second time.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Bigham, Egan, Fraunheim, French, Fennerty, Foley, Gallisath, Higgins, Hogle, Johnston, Kinzer, Kemler, Kohne, McClarran (R. M.), McKinley, Nantker, O'Donnell, Pier, Rea, Schwarm, Walnwright, Walker, Wamhoff, Weissner, Negley, President—26.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

200 S. C. Resolution requiring the City Attorney to certify as to the legality of all bills and concurrent or joint resolutions, before being transmitted to the Mayor for his approval.

In S. C., April 30, passed finally.

Which was read and action postponed for the present.

194 S. C. Resolution for the payment of bills of Viewers, on the re-assessment of the cost of construction of sewer on Rebecca street.

In S. C., April 30th, passed finally.

Which, the rule having been suspended, was read three times and passed finally.

217 S. C. Resolution for a warrant in favor of Will H. Sims, page of Select Council for the sum of ten dollars, for services.

In S. C., April 30, passed finally.

Which, the rule having been suspended, was read three times and finally passed.

214 S. C. Report of the Committee on Gas Lighting for the month of April.

In S. C., April 30, read and accepted.

In which action C. C. concurred.

213 S. C. Report from the Committee on Markets, covering receipts and expenditures for the month of March.

In S. C., April 30th, read and accepted.

In which action C. C. concurred.

218 S. C. Preliminary report of the Viewers of Street Improvements on the grading of Aiken avenue, from Fifth avenue to Center avenue.

In S. C., April 30th, read and accepted.

In which action C. C. concurred.

Mr. Aull presented the following:

189. Resolved, That the thanks of these Councils are due, and are hereby tendered John N. Neeb, of the Third ward, who for several years has honestly and faithfully represented his constituents and the public on the floor of this Council.

Which was read and adopted.

Unfinished business of C. C.:

138 C. C. An ordinance entitled, "An ordinance repealing an ordinance entitled, an ordinance providing for the election of a Wharfmaster on the South Side," passed 30th December, 1872.

In C. C., April 30, read once.

Which was read a second time.

136 C. C. An ordinance entitled, "An ordinance amending Sections 1, 3, 4 and 15 of an ordinance entitled, an ordinance amending the city code, title, Markets," passed November 27th, A. D. 1876.

In C. C., April 30, read once.

Which was read a second time.

Adjourned.

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

VOL. 10. MONDAY, MAY 28, 1877. NO. 19.

Municipal Record.

SELECT COUNCIL.

DAVID AIKEN, JR.....PRESIDENT.
E. S. MORROW.....CLERK.

MONDAY, May 28, 1877.

Council met.

Present—Messrs. Barclay, Bradley, Brown (L. T.), Bruce, Burns, Carr, Chambers, Dannels, Darlington, Duff, Foster (W. S.), Fullerton, Garrison, Gourley, Herron, Hoch, Holliday, Holmes, Kennedy, Kerr, Lagerman, Littell, Meyer, Miller, Moore (W. J.), McCandless, McClurg, McKinley, Negley, Nisbett, O'Donnell, O'Neill, Patterson, Powers, Rodgers, Schwarm, Shipton, Sorg, Taylor, Watson, Welsh, Aiken, President.

Absent—Messrs. Ahl, Atkinson, Baum, Boyd, Brown (Samuel S.), Buckley, Evans, Felker, Foster (Alex. W.), Fox, Gray, Kelly, Kernan, Lambie, Lappan, Moore (Wm.), MacConnell, Nantker, Noble, Owens, Reiman, Rolfe, Sawyer, Schild, Sterling.

The minutes of the meeting of April 30th were read and approved.

The **President** presented.

Certificates from the Prothonotary of the Court of Common Pleas No. 1, certifying to the election of the following named persons as members of Select Council:

[248] James J. Flannery for the unexpired term of E. M. O'Neill, resigned.

[249] Patrick Costillo for the unexpired term of A. Griffiths, resigned.

[250] John Nusser for the unexpired term of Jacob Nusser, seat vacated.

[251] Joseph Hays for the unexpired term of J. P. Vierheller, resigned.

Which were severally read and approved.
And Messrs. Costillo, Flannerty and Nusser being present took the oath of office, which was administered to them by the President.

Mr. **Herron** presented.

[252] An ordinance authorizing the repaving and reburbing of Market street, from the railroad track on Fourth avenue to the railroad track on Liberty street.

Which was referred to the Street Committee.

ALSO,

[253] An ordinance authorizing the repaving of Sixth street, from Penn avenue to Liberty street.

Which was referred to the Street Committee.

ALSO,

[254] An ordinance providing a penalty for refusal to pay wharfage.

Which was referred to the Committee on Allegheny Wharf.

AMr. **Powers**, the following:

[255] *Resolved*, That the Street Commissioner of the Second street district be, and he is hereby authorized and directed to grant a permit to Joseph Spelker to construct a private sewer from his property on Hill alley to connect with the public sewer on Reed street, near Kirkpatrick street, provided, that the same be done at no expense to the city.

Which was read.

Mr. **Powers** moved,

That the rule be suspended to allow the third reading and final passage of the resolution.

Which motion prevailed.

And the rule being suspended the resolution was read a second and third time and agreed to.

And on motion of Mr. **Powers** was finally passed.

ALSO,

[256] *Resolved*, That the Water Committee be instructed to return to the Mechanical Engineer the plans and specifications submitted to him, for a building over the city pumping works, at Negley's Run, with the direction that he so modify the same that the cost of construction shall not exceed the sum of \$40,000.

Which was read.

Mr. **Powers** moved the passage of the resolution.

Mr. **McCandless** moved,

To amend by referring the resolution to the Water Committee.

On which motion a division was had, and the ayes were thirteen and the noes were seventeen.

So the motion did not prevail.

Mr. **Powers** moved,

To suspend the rule to allow the third reading and final passage of the resolution.

Which motion prevailed.

And the resolution was read a second time.

Mr. **Powers** moved,

To amend the resolution by inserting the words fifty thousand dollars in lieu of the words forty thousand dollars.

Which motion did not prevail.

And the resolution as read was agreed to.

And the resolution was read a third time and agreed to.

And on the question, Shall the resolution

pass finally? A division was had, and there were eighteen ayes and fourteen noes.

So the resolution passed finally.

Mr. **Taylor** presented,

[257] Petition of Clarence M. Johns for the refunding of overpaid taxes.

Which was referred to the Board of Assessors.

Mr. **Carr** presented,

[258] Petition of heirs of John Sheehan for exoneration from all taxes assessed against property in the Twenty-seventh ward.

Which was referred to the Board of Assessors.

Also,

[259] Resolved, That the Street Commissioner of the Sixth district be authorized and directed to construct a box sewer across Manor street at the foot of Park alley.

Which was referred to the Street Committee.

Also,

[260] Resolved, That the Street Committee be directed to take proper steps to have the tollgate on the Brownsville road removed beyond the city limits.

Which was referred to the Street Committee.

Mr. **Miller**,

[261] Petition of Thomas Miller for abatement of taxes on property on Manor street.

Which was referred to the Board of Assessors.

Also,

[262] Petition for the erection of gas lamps on Bingham street, between Sixth and Ninth streets.

Which was referred to the Committee on Gas Lighting.

Mr. **Nisbett** the following:

[263] Resolved, That the Street Commissioner of the Sixth district be, and he is hereby instructed to extend box drain from North street to McClain avenue, a distance of about one hundred and twenty five feet on Maple avenue, Thirty-first ward.

Which was referred to the Street Committee.

Mr. **Holliday**,

[264] Petition for the erection of three public gas lamps on Grandview avenue, Thirty-fifth ward.

Which was referred to the Committee on Gas Lighting.

Mr. **Rodgers**,

[265] An ordinance authorizing the opening of Chestnut street, from Wood street to Carson street.

Which was referred to the Committee on Streets.

Mr. **Shipton**, from the Finance Committee,

Affirmatively as committee,

S. C. Bill No. 237. An ordinance entitled, "A further supplement to the ordinance of February 7th, 1870, entitled an ordinance to provide for the safe keeping and custody of the funds of the city."

Which was read once.

Mr. **Shipton** moved,

That the rule be suspended, to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended, the bill was read a second time and agreed to.

And the title was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Barkley, Bruce, Burns, Costillo, Dannels, Darlington, Duff, Flannery, Foster (W. S.), Fullerton, Garrison, Gourley, Herron, Hoeh, Holliday, Holmes, Kennedy, Kerr, Littell, Moore (W. J.), McClurg, McKinley, Negley, Nisbett, Nusser, O'Donnell, O'Neill, Patterson, Powers, Rodgers, Schwarm, Shipton, Sorg, Taylor, Weigand, Watson, Welsh, Aiken, President—38.

Noes—None.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Ordered that the Clerk transmit the same to Common Council for concurrence.

Also, from the same committee,

[266] A report covering and recommending the passage of the accompanying resolution for warrants in settlement of judgments obtained against the city.

Which was read and accepted.

Also, from the same committee,

[267] Resolved, That the City Controller be, and he is hereby instructed to issue his certificate on the Mayor for warrants in favor of the following named parties in satisfaction of judgments pending against the city:

James McGovern vs. City.....\$ 188 11

Catharine Crelino vs. City..... 600 00

Susannah P. Swoope, Executrix of H.

B. Swoope, vs. City..... 1,100 00

And charge the same to the contingent fund.

Which was read.

And the rule having been suspended the resolution was read a second and third time and agreed to and was finally passed.

Mr. **Schwarm**,

[268] Report from the Market Committee, covering a statement of the receipts (\$3,719.13) and expenditures (\$741.14) for the month of April.

Which was read and accepted.

Mr. **Shipton**,

[269] A report from the Committee on Gas Lighting stating that they had determined to order the erection of no new public gas lamps until the July bills from the several gas companies had been rendered and the balances ascertained.

Which was read and accepted.

Mr. **Kerr**, from the Ordinance Committee, Affirmatively as amended in committee.

C. C. Bill No. 159. An ordinance entitled, "An ordinance to regulate all theatrical exhibitions and public shows and all exhibitions of whatever name and nature."

Which was read once.

Mr. **Kerr** moved,

To suspend the rule to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended,

The bill was read a second time and agreed to.

And the title of the bill was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Barkley, Burns, Dannels, Darlington, Duff, Flannery, Foster (W. S.), Fullerton, Garrison, Gourley, Costillo, Her-

ron, Holliday, Holmes, Kennedy, Kerr, Littell, Moore (W. J.), McCandless, McClurg, McKinley, Negley, Nisbett, O'Donnell, O'Neil, Patterson, Powers, Rodgers, Shipton, Sorg, Taylor, Watson, Welsh, Aiken, President—34.

Noes—Messrs. Chambers and Weigand—2.
And a majority of the votes of Select Council not being in the affirmative the bill did not pass finally.

The President.

[270] Report of the Board of Viewers on the S. C. Bill No. 91, an ordinance authorizing the construction of a boardwalk on Manor street.

Which was read and accepted.

And on motion the report and the bill (S. C. No. 91) were referred to the Street Committee.

The Clerk of Common Council being introduced announced that Common Council had concurred with Select Council in the action had on the following papers:

242 S. C. Report of the Committee on City Property for April.

243 S. C. Report of the Committee on Roads for April.

244 S. C. Report of Committee on Alaghenny Wharf.

C. C. Bill No. 153. An ordinance granting B. Byrne right to erect an iron clad building.

S. C. Bill No. 22. An ordinance providing for the appointment, prescribing the duties and fixing the salary of the Message Clerk of Councils.

228 S. C. Resolution for the refunding of erroneously assessed taxes.

229 S. C. Resolution for a warrant in payment of the assessment against the city for the grading and paving of Adelaid street.

238 S. C. Report from the Finance Committee.

266 S. C. Report from the Finance Committee.

267 S. C. Resolution for warrants in favor of sundry persons in satisfaction of judgments against the city.

And also, that C. C. had refused to concur in the action of S. C., in the action had on S. C. Bill No. 5, an ordinance authorizing the opening of Wayne street, from Stanton avenue to Hampton street.

And also, presented the following papers for concurrence:

96 S. C. An ordinance entitled, "An ordinance authorizing the construction of a boardwalk on Cassatt and Crescent streets, from Cliff street to stairway, near line of Seventeenth street, produced."

162 C. C. An ordinance entitled, "An ordinance establishing the grade of Bluff street, from east curb of Pride street to east curb of Stevenson street."

163 C. C. An ordinance entitled, "An ordinance granting Margaret McNally privilege to lay a pipe sewer on Second avenue."

202 S. C. An ordinance entitled, "An ordinance amending an ordinance entitled, an ordinance authorizing the opening of Mary street, from Twenty-seventh to Thirty-second streets, passed November 29, 1875."

96 C. C. An ordinance entitled, "An ordinance authorizing the grading, paving and curbing of Thirty-fourth street, from Butler street to Smallman street."

Which in C. C. were severally read three times and passed.

181 C. C. Report of Committee on Streets for the month of April.

187 C. C. Report of Committee on Monongahela Wharves for the month of April.

188 C. C. Report of the Committee on City Printing, covering awards of contracts for printing and expenditures for April.

Which in C. C. were severally read and accepted.

195 C. C. Preliminary report from the Board of Viewers on the ordinance authorizing the grading, paving and curbing of Thirty-fourth street.

In C. C. read and accepted.

Mr. Herron presented,

[271] WHEREAS, It appears from the returns covering business sales that there are quite a number of persons engaged in business who are not assessed, or by not being engaged in business at the first of April, escape from being assessed. Therefore, be it

Resolved, That the Finance Committee be, and they are hereby instructed to amend the law so as to cover the cases above cited.

Which was referred to the Finance Committee.

Adjourned.

COMMON COUNCIL.

W. B. NEGLEY.....PRESIDENT.
GEORGE BOOTH.....CLERK.

MONDAY, May 28, 1877.

Council met.

Present—Messrs. Aull, Bigham, Dierst, French, Fennerty, Higgins, Hogle, Johnston, Kinzer, Kemler, Kirchner, Kohne, McClarran (R. M.), McKinley, Nantker, O'Donnell, Pier, Rahausser, Rea, Thomson, Wainwright, Walker, Wamhoff, Negley, President.

Absent—Messrs. Belfore, Blume, Egan, Forsythe, Frauenheim, Foley, Galisath, Gallagher, Hanlon, Manning, McClarran (Newton), McCafferty, Schuman, Schwarm, Voskamp, Weisser, Young.

On motion of Mr. Wainwright the reading of the minutes of the previous meeting was dispensed with.

Mr. Kinzer presented,

191. Entitled "An Ordinance amending an Ordinance entitled an Ordinance locating Second street, passed May 15, 1875."

Which was referred to the Committee on Streets.

Mr. R. M. McClarren presented,

192. A Petition for water mains on Larimer avenue.

Which was referred to the Committee on Water.

Mr. Kemler presented,

193. A Petition for the erection of a fire plug at the corner of Twenty-first and Josephine streets.

Which was referred to the Committee on Water.

Mr. Aull presented,

194. Entitled "An Ordinance authorizing an assessment of the damages and benefits caused by the grading of Thirty-third street, from Liberty avenue to Herron avenue."

Which was referred to the Committee on Roads.

Mr. Thomson presented,

195. A Preliminary Report of the Viewers of Street Improvements on the grading, paving and curbing of Thirty-fourth

street, from Butler street to Smallman street. Which was read and accepted.

Also, 196. A Report of the Viewers of Street Improvements on the damages and benefits caused by the grading of Forbes street, from Brady street to Shady Lane.

Mr. Thomson moved

That the report be approved.

Mr. Pier presented objections, and moved, That the report, together with the objections, be referred back to the Board of Viewers for further consideration.

Which motion prevailed.

Mr. Pier moved,

That the rule be suspended to allow the consideration of C. C. No. 138. An Ordinance entitled "An Ordinance repealing an ordinance entitled 'An Ordinance providing for the election of a wharf master on the South Side,' passed December 30, 1872."

Which motion prevailed, and

C. C. No. 138, entitled "An Ordinance repealing an ordinance entitled 'An ordinance providing for the election of a wharf master on the South Side,' passed December 30, 1872,"

Which in C. C., May 14, was read a second time.

Was taken up and read a third time.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Bigham, Fennerty, Higgins, Hogle, Kinzer, Nantker, O'Donnell, Pier and Wamhoff—9.

Noes—Messrs. Aull, Dierst, French, Johnston, Kemler, Kohne, McClarran (R. M.), McKinley, Rabauser, Rea, Thomson, Walnwright, Walker, Negley, President—14.

And a majority of the votes being negative, the bill was rejected.

Mr. Pier presented, from the Committee on Retrenchment and Reform, affirmatively recommended as committed,

C. C. No. 135, entitled "An Ordinance providing for the assessment of water rents by the Board of Assessors, and repealing City Code title, Water Rents."

Which was read.

And the rule was suspended to allow the consideration and final passage of the bill.

Mr. Rea moved,

To amend the bill by striking out the words, "current or succeeding years," on lines 5 and 6.

Which, on a division being had, the amendment did not prevail. Ayes, 5; noes, 11.

The clerk of S. C. being introduced, reported the following business for concurrence:

231, S. C. Resolution directing the City Attorney to join in the bill in equity to restrain the City Treasurer from appointing a collector of delinquent taxes under the Act of Assembly, generally known as bill No. 102.

245, S. C. A resolution and preambles directing the City Attorney to give a written opinion as to the power of the city to collect assessment made by the front foot rule for the improvement of Sylvan avenue extension, and if not collectable, to take steps to prevent the further expenditure of money thereon.

238, S. C. Report from the Finance Committee covering resolution for the payment of assessment on city property for the grading of Adelaide street.

239, S. C. Resolution for a warrant in favor of the City Attorney for the payment of

the assessment against the city for the grading of Adelaide street.

223, S. C. Resolution for warrants in favor of sundry persons for the refunding of overpaid taxes.

243, S. C. Report of the Road Committee

242, S. C. Report of the Committee on City Property for April.

244, S. C. Report of the Committee on Allegheny Wharf for April.

S. C., No. 192. Entitled "An Ordinance granting Murray and Elmore right to erect an iron clad building."

C. C., No. 169. Entitled "An Ordinance granting Thomas Ogden right to erect a frame dwelling house."

C. C., No. 153. Entitled "An Ordinance granting B. Byrne right to erect an iron clad building."

S. C., No. 205. Entitled "An Ordinance amending City Code title "Buildings," section seven."

S. C., No. 22. Entitled "An Ordinance providing for the appointment, prescribing the duties and fixing the salary of the message clerk of Councils."

Also,

Announcing that S. C. had concurred in the action of C. C. on the following papers:

C. C., No. 143. Entitled "An Ordinance locating Chestnut street, from Wood street to Carson street."

C. C., No. 151. Entitled "An Ordinance authorizing the opening of Smallman street, from Thirty-sixth street to Thirty-seventh street."

C. C., No. 132. Report of the Board of Viewers on the re-paving of Sixth street, from Penn avenue to Liberty street.

C. C., No. 133. Report of the Board of Viewers on the re-paving of Market street, from Fourth avenue to Liberty street.

C. C., No. 131. Resolution directing the preparation of new cases against the owners of property abutting on streets improved under the Penn avenue Act.

C. C., No. 85. Entitled "An Ordinance fixing the wages to be paid to certain employees of the Road and Street Committee."

C. C., No. 160. Resolution endorsing the Pittsburgh Exposition Society.

Also,

Announcing that S. C. had refused to concur in the action of C. C. on S. C., No. 87, entitled "An Ordinance fixing the salary of the Police force of the City of Pittsburgh."

Mr. Rea demanded a call of the house for the purpose of ascertaining if there was a quorum present.

And the call being ordered, was taken, and there were:

Present—Messrs. Aull, Bigham, Dierst, French, Fennerty, Higgins, Hogle, Johnston, Kinzer, Kemler, Kirchner, Kohne, McClarran (R. M.), McKinley, Nantker, O'Donnell, Pier, Rea, Thomson, Walker, Wamhoff, Negley, President—22.

And there being a quorum of the members present,

Council again proceeded to the consideration of

C. C. Bill, No. 135.

And the bill was read a second time.

And the bill was read a third time.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Bigham, Dierst, French, Fennerty, Hogle, Kinzer, Kirchner, McClarran

(R. M.), Nantker, Pier, Wamhoff, Negley, President—12.

Noes—Messrs. Aull, Higgins, Johnston, Kemler, Kohne, McKinley, O'Donnell, Rahausser, Rea, Thomson, Walker—11.

Mr. Aull votes "No" for the following reason, that, after careful examination, I fail to see where there is either economy or improvement over the present system.

And there not being a majority of the votes of Common Council in the affirmative, the bill failed to pass.

BUSINESS FROM SELECT COUNCIL.

22, S. C. Entitled "An Ordinance providing for the appointment, prescribing the duties, and fixing the salary of the message clerk of Councils.

In S. C., May 14, passed.

Which was read.

And the rule was suspended to allow the consideration, second and third reading, and final passage of the bill.

And the bill was read a second time.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Bigham, Dierst, French, Fennerty, Higgins, Hogle, Johnston, Kinzer, Kemler, Kirchner, Kohne, McClarran (R. M.), McKinley, Nantker, O'Donnell, Pier, Rahausser, Thomson, Walker, Wamhoff, Negley, President—22.

Noes—Mr. Rea—1.

Before the announcement of the result of the voting, Mr. Rea asked and obtained leave to change his vote from "no" to "aye."

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

244 S. C. Report of Committee on Allegheny Wharf for April.

In S. C., May 14th, read and accepted.

In which action C. C. concurred.

Mr. **Kirchner**, by leave, presented,

197. Petition of Dithridge Glass Company for privilege to erect an iron clad building.

Which was referred to the Committee on Wooden Buildings.

242 S. C. Report of Committee on City Property for month of April.

In S. C., May 14th, read and accepted.

In which action C. C. concurred.

243 S. C. Report of Committee on Roads for April.

In S. C., May 14th, read and accepted.

In which action C. C. concurred.

205 S. C. Entitled, "An ordinance amending city code," title, "Buildings," Section 17.

In S. C., May 14, passed.

Which was read.

Mr. **Bigham** moved,

To adjourn.

Which did not prevail.

Mr. **Negley** (Mr. Aull in the chair,) moved, That further consideration of the bill be postponed until the next meeting.

Which prevailed.

228 S. C. Resolution for warrants in favor of sundry persons for refunding of overpaid taxes.

In S. C., May 14th, passed.

Which, the rule having been suspended, was read three times and finally passed.

238 S. C. Communication from the Finance Committee, covering a resolution for warrant for payment of assessment for grading and paving of Adelaide street.

In S. C., May 14th, read and accepted.

In which action C. C. concurred.

239 S. C. Resolution for payment of assessment against city of Pittsburgh for grading, paving and curbing of Adelaide street.

In S. C., May 14th, passed.

Which, the rule having been suspended, was read three times and finally passed.

153 S. C. Entitled, "An ordinance granting B. Byrne right to erect an iron clad building.

In S. C., May 14th, passed.

Which was read.

And the rule was suspended to allow the consideration, third reading and final passage of the bill.

And the bill was read a second time.

The Clerk of S. C. being introduced, reported for concurrence the following business:

266 S. C. Report of the Finance Committee, covering 267 S. C., resolution for warrants to satisfy judgments against the city.

267 S. C. Resolution for warrants to satisfy judgments against the city.

And Councils again proceeded to the consideration of

C. C. No 153. Entitled, "An ordinance granting B. Byrne right to erect an iron clad building.

Which was read a third time.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Bigham, Dierst, French, Fennerty, Higgins, Hogle, Johnston, Kinzer, Kemler, Kirchner, Kohne, McKinley, Nantker, O'Donnell, Pier, Rahausser, Rea, Thomson, Walker, Wamhoff, Negley, President—22.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

266 S. C. Report from the Finance Committee, covering S. C. No. 267, resolution for warrants to satisfy judgments against the city.

In S. C., May 28th, read and accepted.

In which action C. C. concurred.

267 S. C. Resolution for warrants in satisfaction of judgments against the city in favor of James McGovern, \$188 11; Catharine Crelline, \$600, and Susannah F. Swoope, Executrix of H. B. Swoope, deceased, \$1,100.

In S. C., May 28th, passed.

Which, the rule having been suspended, was read three times and passed.

Adjourned.

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

VOL. 10.

MONDAY, JUNE 11, 1877.

NO. 20.

Municipal Record.

SELECT COUNCIL.

DAVID AIKEN, JR.....PRESIDENT.
E. S. MORROW.....CLERK.

MONDAY, June 11, 1877.

Council met.

Present—Messrs. Ahi, Barekley, Baum, Bradley, Bruce, Burns, Chambers, Dannals, Darlington, Duff, Felker, Flannery, Fox, Fullerton, Gourley, Herron, Hoeh, Holdiday, Holmes, Kelly, Kennedy, Kerr, Lambie, Lappan, Littell, Meyer, Miller, Moore (Wm.), Moore (W. J.), McCandless, McClurg, McKinley, Nantker, Negley, Nisbett, Nusser, O'Donnell, Patterson, Powers, Reiman, Rodgers, Schwarm, Shipton, Sorg, Sterling, Taylor, Weigand, Watson, Aiken, President.

Absent—Messrs. Atkinson, Boyd, Brown (L. T.), Brown (Samuel S.), Buckley, Carr, Costello, Evans, Foster (Alex. W.), Foster (W. S.), Garrison, Gray, Kernan, Lagerman, MacCuneil, Noble, O'Neil, Owens, Rolfe, Sawyer, Schild, Welsh.

Mr. **Darlington** moved,

To dispense with the reading of the minutes.

Which motion prevailed.

Mr. **Joseph Hays**, member elect, from the Thirty-sixth ward, being present, took the oath of office, which was administered to him by the President.

Mr. **Darlington** presented,

[272] An ordinance granting to the Pittsburgh, Cincinnati and St. Louis Railroad Company the right to erect and maintain a freight depot building on the southern sidewalk of Carson street, Thirty-fourth ward.

Which was referred to the Committee on Streets.

ALSO,

[273] An ordinance granting the Pittsburgh, Cincinnati and St. Louis Railroad Company right to erect two frame buildings for freight and passenger depots.

Which was referred to the Committee on Wooden Buildings.

Mr. **Herron**,

[274] An ordinance fixing the rate of wharfage to be charged for landing of lumber at the Allegheny wharf.

Which was referred to the Committee on Allegheny Wharf.

Mr. **Lappan**,

[275] An ordinance granting W. H. Hamilton the right to erect an iron clad building.

Which was read and referred to the Committee on Wooden Buildings.

Mr. **Barekley**,

[276] A petition for the grading of Reed street, from Overhill street to Dinwiddie street.

Which was referred to the Committee on Streets.

ALSO,

[279] A petition for the repeal of the ordinance authorizing the opening of Reed street, from Overhill street to Dinwiddie street.

Which was read and referred to the Committee on Streets.

ALSO,

[280] An ordinance repealing an ordinance authorizing the opening of Reed street, from Overhill street to Dinwiddie street.

Which was read and referred to the Committee on Streets.

Mr. **Fullerton**,

[281] A petition for the locating and opening of an alley 140 feet east of Dithridge street, from Fillmore street to the line of the land of Lytle's heirs.

Which was referred to the Survey Committee.

ALSO,

[282] An ordinance locating ——— alley in the Fourteenth ward.

Which was referred to the Survey Committee.

Mr. **Miller**,

[283] Petition of Challinor, Hogan & Co. for privilege to erect an iron-clad addition to their glass factory, on the corner of Eighth and Washington streets.

Which was referred to the Committee on Wooden Buildings.

ALSO,

[284] An ordinance granting Challinor, Hogan & Co. the right to erect an iron-clad addition to their glass factory.

Which was referred to the Committee on Wooden Buildings.

Mr. **Nisbett** the following,

[285] WHEREAS, There is now a Hose Company established in the engine house erected in the Thirty-second ward, and in view of the fact that it is intended to give fire protection to all districts of the hill wards by the location of said company, and

WHEREAS, At present no way by which the company can be notified of a fire has as yet been provided, therefore,

Resolved, That the Fire Commissioners be, and they are hereby requested to extend the fire alarm telegraph from the Thirty-second ward engine house to the south side hill districts to which the company is to render fire protection.

Which were read.

Mr. Nisbett moved.

That the rule be suspended to allow the further consideration of the resolution.

Which motion prevailed, and the rule having been suspended the resolution and preambles were read a third time and finally passed.

Mr. Shipton.

[286] An ordinance authorizing a temporary loan for the payment of interest on bonds issued for the improvement of avenues and streets under the provisions of the Penn Avenue Act.

Which was referred to the Finance Committee.

Also.

[287] *Resolved*, That Councils take a recess from three o'clock until ten minutes past three o'clock P. M. of this day.

Which was read and passed.

Mr. Barkley.

[288] A report from the Committee on City Property, covering a statement of the expenditures for the month of May, amounting to \$417.33.

Which was read and accepted.

Mr. Schwarm.

[289] A report from the Market Committee, covering a statement of the receipts and expenditures in the market department for the month of May: Expenditures, \$924.66; receipts, \$2,709.51.

Which was read and accepted.

The President presented.

[290] A preliminary report from the Board of Viewers of Street Improvements on S. C. Bill No. 212; an ordinance authorizing the construction of a pipe sewer on Henry, Craig, Washington, Neville and Boundary streets.

Mr. Fullerton moved.

That the report of the Viewers, together with the ordinance, be referred to the Road Committee.

Which motion prevailed.

Council proceeded to the consideration of the business from Common Council.

C. C. No. 181. Report from the Committee on Printing.

C. C. No. 188. Report from the Committee on Streets.

Which were read and accepted.

Mr. Taylor called up.

C. C. No. 185. Report of the Board of Viewers of Street Improvements on the benefits and damages caused by the opening of Forty-seventh street, from the south side of the Allegheny Valley Railroad to the north side of the Allegheny Valley Railroad.

Which was read and approved.

C. C. No. 187. Report from the Committee on Monongahela Wharves.

C. C. No. 146. A report from the Committee on Police.

Which were severally read and approved.

Mr. Hoeh, by leave, presented.

[291] A report from the Committee on Roads, covering a statement of the expenditures for the month of May, \$1,930.17.

Which was read and accepted.

Also, from the Road Committee.

With an affirmative recommendation.

C. C. Bill No. 194. An ordinance entitled, "An ordinance authorizing the assessment of damages and benefits caused by the grading of Thirty-third street, from Liberty avenue to Herron avenue.

Mr. Hoeh moved.

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended the bill was read a second time and agreed to.

And the title was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Barkley, Bruce, Burns, Chambers, Dannels, Darlington, Felker, Flannery, Fox, Fullerton, Gourley, Hays, Hoeh, Holliday, Kelly, Kerr, Lambie, Lappan, Littell, Moore (William), Moore (W. J.), McCandless, McClurg, McKinley, Nantker, Negley, Nisbett, Nusser, O'Donnell, Reiman, Rodgers, Schwarm, Shipton, Sorg, Sterling, Taylor, Weigand, Watson, Aiken, President—39.

Noes—None.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Ordered that the Clerk transmit the same to Common Council for concurrence.

C. C. No. 142. A resolution instructing the City Treasurer to receive warrants drawn on him in payment of taxes or other claims against the city.

Which, the rule having been suspended, was read three times and finally passed.

The Clerk of Common Council having been introduced, announced that the Common Council had amended S. C. No. 287; a resolution providing for a recess from three o'clock to ten minutes past three o'clock of this day, by the addition of the words, "and that permission is hereby granted to the Finance Committee to sit and transact business during the recess."

Mr. Littell moved.

That Select Council concur in the action of Common Council.

Which motion prevailed.

C. C. No. 149. Resolution giving to the Women's Christian Temperance Union the right to have drinking fountains erected and the city agreeing to furnish water for the same.

Which, the rule having been suspended, was read a third time and finally passed.

C. C. No. 145. Report from the Street Committee for the month of March.

Which was read and accepted.

Mr. Taylor, by leave, called up.

S. C. Bill No. 168. An ordinance entitled, An ordinance authorizing the assessment of damages and benefits caused by the grading of Garden street, from Forty-fourth street to Forty-fifth street.

Which was read.

Mr. Taylor moved.

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended the bill was read a second time and agreed to.

And the title of the bill was read and agreed to.

Mr. Taylor moved,

That the bill be read a third time.

Which motion prevailed.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Barclley, Bradley, Bruce, Burns, Chambers, Dannals, Darlington, Duff, Felker, Flannery, Fox, Fullerton, Gourley, Hays, Herron, Hoeh, Holliday, Holmes, Kerr, Lambie, Lappan, Littell, Meyer, Miller, Moore (William), Moore (W. J.), McCandless, McClurg, McKinley, Nantker, Negley, Nisbett, Nusser, O'Donnell, Rodgers, Schwarm, Shipton, Sorg, Sterling, Taylor, Weigand, Aiken, President—40.

Noes—None.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Mr. Herron, by leave, presented,

[292] Report from the Board of Viewers of Street Improvements on the damages caused by the opening of Center avenue, from Neville street to Liberty avenue.

Which was read and approved.

ALSO

[293] A preliminary report from the Board of Viewers of Street Improvements on S. C. Bill No. 169; an ordinance authorizing the grading of Center avenue, from Neville street to Liberty avenue.

Which was read and received.

The hour of three o'clock having arrived, Select Council took a recess for ten minutes.

Select Council reassembled at ten minutes past three o'clock.

Mr. McCandless, by leave, presented,

[294] A report from the Water Committee for the month of May, covering a statement of the expenditures amounting to \$7 356.78.

Which was read and accepted.

ALSO

[295] Report from the Water Committee setting forth that they had awarded a contract to D. N. & R. J. McGaffin for laying six hundred and fifty feet of six-inch pipe on Forty-second street, at eighteen cents per lineal foot.

Which was read and approved.

ALSO

[296] An ordinance authorizing the opening of an extension of Butler street extension, from River avenue to a point near the pump works.

Which was referred to the Water Committee.

Mr. Herron, by leave,

[297] A report from the Committee on Allegheny Wharf, covering a statement of the expenditures for the month of May amounting to \$61.67; receipts amounting to \$395.

Which was read and accepted.

C. C. No. 48. Resolution authorizing and directing the City Treasurer to exonerate certain taxes.

Which, the rule having been suspended, was read a third time and finally passed.

Mr. Shipton, from the Finance Committee, presented,

Affirmatively recommended as committed,

S. C. Bill No. 286. An ordinance entitled, An ordinance authorizing a temporary loan for the payment of interest on bonds issued for the improvement of avenues and streets under the provisions of the Penn avenue Act.

Which was read.

Mr. MacConnell moved,

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended the bill was read a second time and agreed to.

And the title of the bill was read and agreed to.

Mr. MacConnell moved,

The third reading of the bill.

Which motion prevailed.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Baum, Bruce, Dannals, Darlington, Fox, Fullerton, Gourley, Herron, Holliday, Holmes, Kerr, Littell, Moore (William), McCandless, McClurg, McKinley, Nantker, Negley, Nisbett, O'Donnell, Powers, Reiman, Schwarm, Shipton, Sterling, Taylor, Watson, Aiken, President.

Noes—Messrs. Barclley, Bradley, Burns, Chambers, Duff, Felker, Flannery, Hays, Hoeh, Meyer, Miller, Nusser, Patterson, Rodgers, Sorg, Weigand.

Before the announcement of the result Mr. Powers asked and obtained leave to change his vote from aye to no.

And the ayes were 23.

And the noes were 17.

And a majority of the votes of Select Council not being in the affirmative the bill did not pass finally.

Mr. Powers moved,

To reconsider action on the question for the final passage of the bill.

Which motion prevailed.

And the question recurring on the question shall the bill pass finally?

Mr. Hays moved,

To postpone action until the next meeting of Council.

On which motion a division was had, and there were fifteen ayes and twenty-four noes.

So the motion did not prevail.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Baum, Bruce, Dannals, Darlington, Fox, Fullerton, Gourley, Herron, Hoeh, Holliday, Holmes, Kennedy, Kerr, Littell, Moore (William), McCandless, McClurg, McKinley, Nantker, Negley, Nisbett, Nusser, O'Donnell, Powers, Reiman, Schwarm, Shipton, Sterling, Taylor, Watson, Aiken, President—32.

Noes—Messrs. Barclley, Bradley, Burns, Chambers, Duff, Felker, Flannery, Hays, Miller, Patterson, Rodgers, Sorg, Weigand—13.

And a majority of the votes of Select Council not being in the affirmative the bill did not pass finally.

Mr. Herron, by leave, presented,

S. C. Bill No. 169. An ordinance entitled, An ordinance authorizing the grading of Center avenue, from Neville street to Liberty avenue.

Which was read once.

Mr. Herron moved,

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended the bill was read a second time and agreed to.

And the title was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Barclay, Bradley, Bruce, Burns, Chambers, Darlington, Flannery, Fox, Fullerton, Gourley, Hays, Herron, Hoeh, Kennedy, Kerr, Littell, Meyer, Moore (William), McCandless, McClurg, McKinley, Nantker, Negley, Nisbett, Nusser, O'Donnell, Powers, Reiman, Rodgers, Schwarm, Ship-ton, Sterling, Taylor, Weigand, Watson, Aiken, President—37.

Noes—None.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Ordered that the Clerk transmit the bill to the Common Council for concurrence.

Mr. **Littell**, by leave, presented,

[299] *Resolved*, That the use of the Select Council chamber be granted to the National Eclectic Medical Association for the purpose of holding a Convention June 13th, 14th and 15th.

Which was read and passed.

C. C. No. 64. Dedication by Francis Sellers, of Arabella street, between Shady Lane and Evans avenue, Twentieth ward.

C. C. No. 65. Dedication by Francis Sellers, of Harrison street, between Shady Lane and Evans avenue, Twentieth ward.

Which were severally read and received.

C. C. No. 94. Report from the Street Committee for the month of February.

C. C. No. 98. Report from the Police Committee for the month of February.

C. C. No. 109. Report from the Committee on Monongahela Wharf for the month of February.

C. C. No. 110. Report from the committee appointed to audit the accounts of the Guardians of the Poor.

Which were read and accepted.

C. C. No. 111. Resolution for the preparation of an Act of Assembly in relation to the purchase of supplies by the Guardians of the Poor.

Which was read and passed.

Mr. **Nisbett**, by leave, called up,

S. C. No. 97. Resolution for the passage of an Act of Assembly, levying taxes equitably throughout the city.

In Select Council March 12, 1877, read and action postponed.

Mr. **Darlington** moved,

To indefinitely postpone further action.

Which motion prevailed.

The **President** appointed,

Charles W. Houston Message Clerk of Councils.

Mr. **Shipton**, by leave, called up,

S. C. No. 240. A resolution authorizing the Controller to issue his certificate on the Mayor for a warrant in favor of John King for \$50.54.

In Select Council May 17th, read once.

And the rule having been suspended, the resolution was read a third time and finally passed.

And on motion Council adjourned.

COMMON COUNCIL.

W. B. NEGLEY.....PRESIDENT.
GEORGE BOOTH.....CLERK.

MONDAY, June 11, 1877.

Council met.

Present—Messrs. Aull, Belfore, Bigham, Dierst, Forsythe, French, Fennerty, Foley, Gallisath, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kirchner, Kohne, McClarran (R. M.), O'Donnell, Pier, Rahausen, Rea, Schwarm, Thomson, Wainwright, Walker, Weissner, Negley, President.

Absent—Messrs. Blume, Egan, Fraunheim, Gallagher, Hogle, Manning, McClarran (New-ton), McCafferty, McKinley, Nantker, Schuman, Voskamp, Wamhoff, Young.

A portion of the minutes of the meeting of May 28th were read, when Mr. **Aull** moved,

That the reading of the balance of the minutes be dispensed with.

Which motion prevailed.

Mr. **Thomson** presented,

198. An ordinance establishing the grade of Smallman street, from Thirty-third street to Thirty-fifth street.

Which was referred to the Committee on streets.

Also,

199. An ordinance authorizing the grading and paving of Spring alley, from Laurel avenue to Mary street.

Which was referred to the Committee on Streets.

Mr. **Pier** presented the following,

200. *Resolved* That all committees or commissions appointed or constituted by the Pittsburgh Councils shall sit with doors open to the public.

Provided, that nothing in this resolution shall be construed to interfere with said committee or commission taking such measures as they deem necessary for the maintenance of order.

Which, the rule having been suspended, was read three times and finally passed.

The **Chair** presented,

201. Petition for water mains on Bouquet and Ward streets, Fourteenth ward.

Which was referred to the Committee on Water.

Mr. **Kirchner** presented,

202. An ordinance granting Dithridge Glass Company right to erect an iron clad building

Which was referred to the Committee on Wooden Buildings.

Mr. **Aull** presented,

203. An ordinance establishing the grade of the east curb of Aiken avenue.

Which was referred to the Committee on Surveys.

Also,

204. An ordinance locating Felzer street.

Which was referred to the Committee on Surveys.

Also,

205. An ordinance fixing the grade of the north curb of Center avenue, from Highland avenue to Neville street.

Which was referred to the Committee on Surveys.

Also,

206. An ordinance establishing the grade of Thirty-fourth street, from Butler street to Smallman street.

Which was referred to the Committee on Surveys.

Mr. Bigham presented.

207. Petition for the opening of Fetzer street, from Bertha street to Kirkpatrick street.

Which was referred to the Committee on Streets.

Also,

208. An ordinance authorizing the opening of Fetzer street, from Bertha street to Kirkpatrick street.

Which was referred to the Committee on Streets.

Mr. French presented.

209. Petition of Isaac N. Thackery for rebate of business tax.

Which was referred to the Board of Assessors.

Mr. Rahausser presented (for Mr. Thomson),

210. A report from the Committee on Streets, covering a statement of their expenditures for the month of May, as follows:

First district.....	\$2,523 20
Second district.....	2,184 88
Third district.....	1,183 93
Fifth district.....	813 68
Sixth district.....	957 22
Seventh district.....	969 64
Board of Viewers.....	478 00
Engineers' Department.....	876 11

Total.....\$9,986 66

Expenditures to date.....\$30,605 56

Unexpended balance.....\$52,394 44

Also, announcing the award of the following contracts:

For the construction of a boardwalk on Knox avenue to Heinrich and Keimel at $3\frac{1}{2}$ cents per foot.

For painting Main street iron bridge, to A. M. Watrous, at \$48.00.

Which was read, received and approved.

Also, from the Street Committee, affirmatively recommended.

253 S. C. Entitled, "An ordinance authorizing the re-paving and re-curbings of Sixth street, from Penn avenue to Liberty street.

Which was read.

And the rule was suspended to allow the consideration and final passage of the bill.

And the bill was read a second time.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Forsythe, French, Fennerty, Gallisath, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kirchner, Kohne, McClarran (R. M.), O'Donnell, Pier, Rahausser, Schwarm, Wainwright, Walker, Weissner, Negley, President—23.

Noes—Messrs. Foley and Rea—2.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

Also, from the Street Committee affirmatively.

252 S. C. Entitled, "An ordinance authorizing the re-paving and re-curbings of Market street, from railroad track on Fourth avenue to railroad track on Liberty street.

Which was read.

And the rule was suspended to allow the consideration and final passage of the bill.

And the bill was read a second time.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Forsythe, French, Fennerty, Gallisath, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kirchner, Kohne, McClarran (R. M.), O'Donnell, Pier, Rahausser, Schwarm, Thomson, Wainwright, Walker, Weissner, Negley, President—24.

Noes—Messrs. Foley and Rea—2.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

The Clerk of Select Council being introduced, reported for concurrence the following business from S. C.:

268 S. C. Report from the Committee on Markets for the month of April.

269 S. C. Report from the Committee on Gas Lighting, setting forth that the committee had determined to recommend the erection of no public gas lamps until after the several gas companies render their July bills and the balance in the appropriation is ascertained.

255 S. C. Resolution granting Joseph Spelker right to construct a private sewer to connect with the sewer on Reed alley.

256 S. C. Resolution directing the Water Committee to return to the Mechanical Engineer the plans and specifications for the building at the pumping works, with directions to modify the same so that the building shall not cost over forty thousand dollars.

237 S. C. Entitled, "A further supplement to the ordinance of February 7th, 1870, entitled, an ordinance to provide for the safe keeping and custody of the funds of the city.

287 S. C. Resolution for recess from 3 P. M. until 3:10 P. M.

Mr. Thomson presented, from the Street Committee, affirmatively recommended.

265 S. C. Entitled, "An ordinance authorizing the opening of Chestnut street, from Wood street to Carson street."

Which was read.

And the rule was suspended to allow the consideration and final passage of the bill.

And the bill was read a second time.

And the bill was read a third time.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Forsythe, French, Fennerty, Foley, Gallisath, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kirchner, Kohne, McClarran (R. M.), O'Donnell, Pier, Rahausser, Rea, Schwarm, Thomson, Wainwright, Walker, Weissner, Negley, President—26.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

Mr. Aull, by leave, called up.

S. C. No. 257. A resolution for a recess of Councils from 3 P. M. until 3:10 P. M.

In S. C. June 11th, passed.

Which was read.

Mr. Thomson moved.

To amend by adding the words, "And that permission is hereby granted to the Finance Committee to sit during the recess."

Which prevailed.

And the resolution as amended was passed.

Mr. Thomson presented from the Street Committee, affirmatively recommended,

191. C. C. Entitled, "An ordinance amending an ordinance entitled, an ordinance locating Second street," passed 15th of May, 1875.

Which was read.

And the rule was suspended to allow the consideration and final passage of the bill.

And the bill was read a second time.

And the bill was read a third time.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Dierst, Forsythe, French, Fennerly, Foley, Gallisath, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kirchner, Kohne, McClarran (R. M.), O'Donnell, Pier, Rabauser, Rea, Schwarm, Thomson, Wainwright, Walker, Negley, President—26.

Noes—Mr. Weissner—1.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

Mr. Thomson presented.

211. Report of the Viewers of Street Improvements on the opening of Reed street, from Overhill street to Dinwiddie street.

Mr. Johnston moved.

That the report be referred to the Committee on Surveys.

Which prevailed.

Also,

212. A report from the Viewers of Street Improvements, returning without any change, C. C. No. 196. "A report of Viewers of Street Improvements on the damages and benefits caused by the grading of Forbes street, from Brady street to Shady Lane," which was referred to them with objections, May 28th, 1877.

Which was read and accepted.

Also,

196 C. C. A report of the Viewers of Street Improvements on the damages and benefits caused by the grading of Forbes street, from Brady street to Shady Lane.

In C. C. May 28th, 1877, referred back to the Viewers with objections.

Which was approved.

Mr. Aull presented from the Committee on Surveys, affirmatively recommended.

213. Plan of lots situate in the Fourteenth ward, laid out by the Linden Land Company.

Which was approved.

Mr. Thomson presented.

214. Report from the Committee on Police, covering a statement of their expenditures for the month of May, amounting to \$16,350.20.

Which was read, accepted and approved.

Mr. Kemler presented.

215. A report from the Committee on Monongahela Wharves, covering a statement of their receipts and expenditures for May, as follows:

	Receipts.	Expenditures.
North Side.....	\$ 900 00	\$157 43
South Side.....	249 58	108 53
Total.....	\$1,149 58	\$265 76

Also, recommending the passage of accompanying resolution authorizing the dredging of the channel of the Monongahela river in front of the Brownsville packet landing.

Also, recommending the passage of accompanying resolution for refunding of overpaid wharfage to C. Humberger.

Which was read and accepted.

Also, from the same committee, recommended affirmatively the following:

216. Resolved, That the Committee on Monongahela Wharf be, and they are hereby directed to advertise for proposals for the dredging of the Monongahela river in front of the landing of the Brownsville packets, and let the same in accordance with law, the expense thereof to be chargeable to the contingent fund.

Which was read.

And the rule having been suspended the resolution was read a second and third time and finally passed.

Also, from the same committee affirmatively,

217. Resolved, That the Controller be, and he is hereby authorized and directed to issue his certificate on the Mayor for a warrant in favor of Christian Humberger for seven dollars, for refunding of overpaid wharfage, and charge the same to the contingent fund.

Which was read.

And the rule having been suspended the resolution was read a second time and a third time and finally passed.

The hour of 3 P. M. having arrived Council took a recess for ten minutes, in accordance with the resolution passed this day.

Council again came to order.

Mr. Thomson, by leave, presented.

218. An ordinance fixing the number of the police force for the remainder of the year.

Which was referred to the Committee on Police.

Mr. Pier presented.

219. A report from the Committee on City Printing, covering a statement of their expenditures for the month of May, amounting to \$813.78.

Which was read and accepted.

Mr. Kohne presented the following.

220. Resolved, That we congratulate our worthy and esteemed President on the honor conferred upon him by being assigned a Councilman of another and greater body than that over which he now presides, and extend to him our kindest regards and expressions of solicitude for his safety and comfort during his journey, and we hope that he may realize a pleasant and profitable trip, and return recuperated and buoyant to assist in the solution of the legislative problems that harass Pittsburgh Councilmen; that we hereby bid him an official and friendly good-bye.

Which was read and unanimously adopted.

Mr. Fennerly presented the following.

221. Resolved, By the Select and Common Councils of the city of Pittsburgh, that these Councils adjourn for the summer vacation from and after Monday, June 25th, 1877, until Monday, September 10th, 1877; provided, that special meetings for specific purposes may be called in the interim, under the rules.

Which was read and the rule was suspended.

Mr. Foley moved.

To amend by striking out the words, "Select Council."

Which was accepted.

And the resolution as amended prevailed.

Mr. Foley presented the following.

222. Resolved, That the seat of N. McClarran, a member of Common Council, from

the Twenty-second ward, be declared vacant under the rules.

Which was read.

Mr. **Thomson** moved,

To postpone action until the next meeting.

Which prevailed.

President **Negley** asked leave of absence, as he was about to make a journey to Europe.

Mr. **Thomson** moved,

That leave of absence be granted to President Negley until the first meeting in October.

Which prevailed.

Mr. **Belfore** presented,
223. An ordinance locating Monroe street, from Webster avenue to Ridge street.

Which was referred to the Committee on Surveys.

Mr. **Aull** presented,

224. Entitled "An Ordinance establishing the grade of Reservoir avenue.

Which was referred to the Committee on Surveys.

BUSINESS FROM SELECT COUNCIL.

256 S. C. A resolution instructing the Water Committee to return to the Mechanical Engineer the plans and specifications for a building over the city pumping works, at Negley's Run, with the direction that he so modify the same that the cost of construction shall not exceed the sum of \$40,000.

In S. C. May 28th, passed.

Which was read.

Mr. **Rea** moved,

To concur in the action of S. C.

Mr. **Kemler** moved,

To lay the resolution on the table.

Which, on a division being had, did not prevail; ayes 8, noes 13.

Mr. **Foley** moved,

To refer the resolution to the Committee on Water.

Which prevailed.

268 S. C. Report from the Committee on Markets for the month of April.

In S. C. May 28th, read and accepted.

In which action C. C. concurred.

Mr. **Thomson**, by leave, presented the following.

224. *Resolved*, That the Printing Committee be, and they are hereby directed to furnish to members of Councils and to the members of the several committees printed blanks for resolutions and ordinances, the forms for the same to be drawn up by the Clerk of Councils.

Which was read.

And the rule having been suspended the resolution was read a second and third time and finally passed.

255 S. C. Resolution granting Joseph Spelker right to construct a private sewer and connect the same with the sewer on Reed alley from his property on Hill alley, Thirteenth ward.

In S. C. May 28th, passed finally.

Which was read.

Mr. **Thomson** moved,

To amend by adding the following: Provided, that any person may make an attachment to said sewer upon the payment of a fair proportion of the cost thereof.

Which prevailed.

And the resolution as amended was passed finally.

269 S. C. Report from the Committee on Gas Lighting setting forth that the com-

mittee had determined to recommend the erection of no public gas lamps until after the several gas companies render their July bill and the balance in the appropriation is ascertained.

In S. C. May 28th, read and accepted.

In which action C. C. concurred.

237 S. C. Entitled, "A further supplement to the ordinance of February 7th, 1870, entitled, an ordinance to provide for the safe keeping and custody of the funds of the city."

In S. C. May 28th, passed finally.

Which was read.

And the rule was suspended to allow the consideration and final passage of the bill.

Mr. **Thomson** moved,

To amend the bill by striking out from Section 2 the words, "Advertise for proposals from banks of the character designated in the first section of the ordinance, and that said Committee chose from the banks who may bid for the keeping of the funds, three depositories, and report the same to Councils at their next regular meeting for approval." And by striking out from Section 3 the following words: "Section 3, In the absence of bidders the said Committee shall."

Mr. **Rea** moved,

To amend the amendment by inserting the word "may" between the words "Committee choose" on line 3 of Section 2.

Which on a division being had did not prevail by a vote of ayes 10, noes 11.

Mr. **Foley** moved,

To amend the amendment by striking out the words, "for approval," and inserting in lieu thereof the words, "subject to their approval," at the end of Section 2.

Which prevailed.

The Chair, Mr. **Aull**,

Decared the amendment to the amendment proposed by Mr. Foley and just adopted, not in order, as not being properly "an amendment to the amendment."

And on the question, Shall the amendment be adopted? The ayes and noes were demanded by Mr. Foley, and the demand being sustained, the call was ordered and was taken, and were:

Ayes—Messrs. Aull, Belfore, Dierst, Forsythe, Gallisath, Higgins, Hanlon, Kinzer, Kemler, Pier, Thomson, Weissner—12.

Noes—Messrs. Bigham, French, Fennerty, Foley, Johnston, Kohn, McClarran (R. M.), O'Donnell, Schwarm, Wainwright, Walker—11.

So the amendment prevailed.

Mr. **Pier** moved,

To further amend by striking out the words, "for approval," and insert in lieu thereof the words, "subject to their approval," after the word "Councils" in line 2 of Section 3.

Mr. **Johnston** moved,

To amend Section 1, by inserting the words, "each bank" after the words, "city of Pittsburgh," on line three, and by inserting the words, "each of" after the words, "incorporated banks," on line four.

Which prevailed.

And the bill as amended was read a second time, agreed to and laid over to be printed.

Mr. **McClarran** moved,

That Councils proceed to the election of a temporary President, to act during the absence of Mr. Negley.

Which prevailed.

Mr. **McClarran** nominated W. F. Aull.

Mr. **Foley** nominated W. W. Thomson.

And the result of the voting was as follows:
For W. F. Aull:
Messrs. Belfore, Dierst, Forsythe, Fennerty,
Hanlon, Kohne, McClarran (R. M.), O'Don-
nell, Pier, Thomson, Weisser—11.
For W. W. Thomson:
Messrs. Aull, Bigham, French, Foley, Gal-

llesath, Higgins, Johnston, Kinzer, Kemler,
Rea, Schwarm, Wainwright, Walker—13.
W. W. Thomson received..... 13 votes.
W. F. Aull received. 11 votes.
And Mr. Thomson was declared duly elected
temporary President to act during the ab-
sence of Mr. Negley, President.
Adjourned.

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

VOL. 10.

FRIDAY, JUNE 22, 1877.

NO. 21.

Municipal Record.

COMMON COUNCIL.

W. W. THOMSON.....PRESIDENT *Pro Tem*.
GEORGE BOOTH.....CLERK.

PITTSBURGH, June 22, 1877.

George Booth, Esq., Clerk of Common Council:
SIR—You will call a special meeting of Common Council for Friday, June 22, 1877, at two o'clock P. M., to consider a bill entitled, "An ordinance fixing the number of the police force."

W. W. THOMSON, President *pro tem*.

PITTSBURGH, June 20, 1877.

Which was read.

Present—Messrs. Aull, Belfore, Bigham, Dierst, Frauenheim, French, Gallisath, Hanlon, Hogle, Johnston, Kinzer, Kemler, Kohne, Manning, McClarran (R. M.), Nantker, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Wamhoff.

Absent—Messrs. Blume, Egan, Forsythe, Fennerty, Foley, Gallagher, Higgins, Kirchner, McClarran (Newton), McCaffery, McKinley, O'Donnell, Pier, Rahausen, Walker, Wesser, Young, Negley, President.

Mr. Belfore moved,

To dispense with the reading of the minutes of the previous meeting.

Which prevailed.

Mr. Thomson (Mr. French in the chair,) presented from the Committee on Police, affirmatively recommended as committed,

No. 218 C. C. An ordinance entitled, "An ordinance fixing the number of the police force of the city of Pittsburgh."

Which was read.

And on motion of Mr. Thomson the rule was suspended to allow the consideration and final passage of the bill.

And the bill was read a second time.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Bigham, Dierst, Frauenheim, French, Gallisath, Hanlon, Johnston, Kinzer, Kemler, Kohne, Manning, Nantker, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Wamhoff—20.

Noes—Messrs. Belfore, Hogle, McClarran (R. M.)—3.

And a legal majority of the votes not being in the affirmative, the bill failed to pass.

Adjourned.

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

VOL. 10.

MONDAY, JUNE 25, 1877.

NO. 22.

Municipal Record.

SELECT COUNCIL.

DAVID AIKEN, JR. PRESIDENT.
E. S. MORROW. CLERK.

MONDAY, June 25, 1877.

Council met.

Present—Messrs. Ahl, Atkinson, Barchley, Baum, Boyd, Bradley, Brown (L. T.), Bruce, Buckley, Burns, Carr, Chambers, Costillo, Dannals, Darlington, Duff, Evans, Felker, Flannery, Foster (Alex. W.), Foster (W. S.), Fox, Fullerton, Garrison, Gray, Hays, Holmes, Kelly, Kennedy, Kerr, Lambie, Lappan, Littell, Miller, Moore (William), Moore (W. J.), McCandless, MacConnell, McClurg, McKinley, Nantker, Negley, Nisbett, Noble, Nusser, O'Donnell, O'Neil, Patterson, Reiman, Rodgers, Rolfe, Schwarm, Shipton, Sorg, Sterling, Taylor, Weigand, Watson, Aiken, President.

Absent—Messrs. Brown (Samuel S.), Gourley, Herron, Hoeh, Holliday, Kernan, Lagerman, Meyer, Owens, Powers, Sawyer, Schild, Welsh.

The reading of the minutes of the last meeting was postponed.

Mr. **Shipton** presented,

[300] Petition of Steel, Tate & Co. for an abatement of business tax.

Which was referred to the Finance Committee.

Mr. **Fullerton**,

[301] Petition for the erection of a fire plug on the corner of Thirteenth and Washington streets, South Side.

Which was referred to the Water Committee.

Mr. **Watson**,

[302] Petition of John McGuire for an exoneration from the payment of certain water taxes.

Which was referred to the Water Committee.

Mr. **Atkinson**,

[303] Resignation of Harry Moore as Wharfmaster of the South Side wharf.

Which was read and accepted.

Mr. **Atkinson** moved,

That the Clerk be directed to notify Common Council that Select Council would be ready to meet them in Joint Session at three o'clock P. M. this day, to elect a Wharf-

master for the South Side wharf in the place of Harry Moore, resigned.

And there being objections to the consideration of the motion,

Mr. **Atkinson** moved,

That the rule be suspended for the consideration of the motion.

On which motion a division was had, and there were twenty-four ayes and six noes.

So the motion prevailed.

And on the motion for a Joint Session,

The ayes and noes were demanded by Mr. **Hays**, and the demand being sustained, were ordered, and being taken were:

Ayes—Messrs. Atkinson, Boyd, Brown (L. T.), Carr, Chambers, Costillo, Dannals, Darlington, Felker, Flannery, Foster (W. S.), Gray, Holmes, Kerr, Lambie, Miller, McCandless, McClurg, McKinley, Nantker, Negley, Noble, O'Donnell, Patterson, Reiman, Schwarm, Taylor, Weigand—29.

Noes—Messrs. Barchley, Baum, Bradley, Bruce, Burns, Duff, Foster (Alex. W.), Fox, Hays, Kennedy, Lappan, Littell, Moore (William), MacConnell, Nisbett, O'Neil, Rodgers, Rolfe, Shipton, Sterling, Watson, Aiken, President—22.

So the motion prevailed.

Mr. **Littell** rose to a point of order,

That the motion to proceed with an election of a Wharfmaster was of such nature as to vote money out of the City Treasury, and therefore would require a two-fifths vote of all the members elected.

The **President** ruled,

That a motion to proceed with the election to fill a vacancy was not creating a new office, nor was it voting money out of the City Treasury, and therefore did not require a two-fifths vote of all the members elected.

Mr. **McClurg** presented,

[304] A petition for the construction of a box gutter on Twenty-ninth street.

Which was referred to the Street Committee.

Mr. **Patterson** presented,

[305] Petition of Dennis O'Driscoll for settlement of account against the city for building of public sewers.

Which was referred to Finance Committee.

Mr. **A. W. Foster**,

[306] Remonstrance from Mullen & Maloney against the present location of Chestnut street, South Side.

Which was read and referred to the Committee on Streets.

Mr. **Kennedy**,

[307] Petition of Mary Gillespie for refunding of overpaid taxes.

Which was referred to the Board of Assessors.

Mr. Littell.

[308] An ordinance authorizing the assessment of the benefits and damages caused by the grading of Homewood avenue, from Penn avenue to Franktown avenue.

Which was referred to the Road Committee.

Mr. Shipton. by leave, called up.

S. C. Bill No. 286. An ordinance entitled, An ordinance authorizing a temporary loan for the payment of interest on bonds issued for the improvement of avenues and streets, under the provisions of the Penn Avenue act.

Which in S. C. June 11th, was read and failed to pass finally for want of a legal majority.

Mr. Hays moved,

To amend Section 2 by striking out the word "and" before the words "said bonds shall be signed by the Mayor, &c.," and adding the following to the end of the section: "And shall be issued as follows on the second day of July next, bonds to the amount of interest falling due during July; on the first Monday of August, bonds to the amount of interest due during the month of August; on the first day of September, bonds to the amount of interest falling due during September, and on the first day of October, bonds to the amount of the interest falling due in October."

Which motion prevailed, and the section was so amended, and as amended the bill was agreed to.

Mr. McCandless presented,

[309] A report from the Water Committee stating that the contract for building engine and boiler houses had been awarded to J. D. Walker & Co. at \$47,167, and asking Councils to approve the award.

Which was read and approved.

Council proceeded to the consideration of the business from Common Council on the desk.

The following reports from committees were accepted:

- C. C. 39. Streets.
- C. C. 40. Surveys.
- C. C. 41. Police.
- C. C. 42. Retrenchment and reform.
- C. C. 43. Monongahela wharf.
- C. C. 44. Printing.
- C. C. 45. Railroads.
- C. C. 46. Appeals from city assessments.

- C. C. 164. Surveys.
- C. C. 165. Monongahela wharf.
- C. C. 210. Streets.
- C. C. 214. Police.
- C. C. 215. Monongahela wharf.
- C. C. 219. Printing.
- C. C. No. 196. Report from the Board of Viewers of Street Improvements on the damages and benefits caused by the grading of Forbes street, from Brady street to Shady lane.

Which was read and approved.

C. C. No. 213. Plan of lots situated in the Fourteenth ward, laid out by the Linden Land Company.

Which was approved.

The hour of three o'clock having arrived Select Council proceeded to the Common Council chamber for the purpose of meeting Common Council in Joint Session for the election of one person to be Wharfmaster in the stead and for the unexpired term of Harry Moore, resigned.

And being so met in Joint Session,

Council proceeded to said election.

And **Mr. Boyd** nominated Robert Reed.

Mr. Rolfe nominated Evan Jones.

Mr. Carr nominated Kinsley T. O'Conner.

Mr. Sorg nominated N. K. Miller.

Mr. Schwarm nominated C. S. Evans.

Mr. Bigham nominated G. H. Leithead.

Mr. Kerr nominated John I. Verner.

Before proceeding to ballot,

Mr. Aull moved,

That the Joint Session do now adjourn.

On which motion the ayes and noes were demanded by **Mr. Aull**.

And the demand being sustained, the ayes and noes were ordered to be taken,

And being taken, were as follows:

Ayes—Messrs. Barclay, Baum, Bradley, Bruce, Burns, Costillo, Duff, Evans, Flannery, Foster (Alex. W.), Foster (W. S.), Fox, Fullerton, Garrison, Gray, Hays, Holmes, Kennedy, Lappan, Littell, Moore (William), Moore (W. J.), McCandless, MacConnell, McKinley, Nantker, Nisbett, Nusser, O'Neil, Rodgers, Rolfe, Shipton, Sorg, Sterling, Weigand, Watson, Aiken, President—37.

Noes—Messrs. Ahl, Atkinson, Boyd, Brown (L. T.), Carr, Chambers, Dannals, Darlington, Felker, Kerr, Lambie, Miller, McClurg, Negley, Noble, O'Donnell, Patterson, Reiman, Schwarm, Taylor—20.

And the result of the voting was as follows:

For adjournment fifty-seven.

Against adjournment thirty.

So the motion prevailed, and Select Council returned to its own chamber.

The Clerk of Common Council having been introduced presented the following business from Common Council for concurrence:

191 C. C. Entitled, An ordinance amending an ordinance entitled, an ordinance locating Second street; passed 15th of May, 1875.

In C. C. June 11, passed.

265 S. C. Entitled, An ordinance authorizing the opening of Chestnut street, from Wood street to Carson street.

In C. C. June 11, passed.

252 S. C. Entitled, An ordinance authorizing the repaving and recurb of Market street, from railroad track on Fourth avenue to railroad track on Liberty street.

In C. C. June 11, passed.

253 S. C. Entitled, An ordinance authorizing the repaving and recurb of Sixth street, from Penn avenue to Liberty street.

In C. C. June 11, passed.

200 C. C. A resolution requiring all Council committees to sit with doors open to the public.

In C. C. June 11, passed.

216 C. C. A resolution authorizing the dredging of the harbor of the Monongahela river in front of the Brownsville packet landing.

In C. C. June 11, passed.

217 C. C. A resolution for the refunding of overpaid wharfage to Christian Humberger.

In C. C. June 11, passed.

224 C. C. A resolution directing the Printing Committee to furnish for the use of members of Councils, committees, blanks for ordinances, resolutions, etc.

In C. C. June 11, passed.

219 C. C. Report of the Committee on City Printing for May.

In C. C. June 11, read and accepted.

215 C. C. Report of the Committee on Monongahela Wharves for May.

In C. C. June 11, read and accepted.

214 C. C. Report of the Committee on Police for May.

In C. C. June 11, read, accepted and approved.

210 C. C. Report of the Committee on Streets for the month of May.

In C. C. June 11, read, accepted and approved.

Also, announced that Common Council had amended S. C. No. 255, resolution granting Joseph Spelker the right to construct a private sewer to connect with a public sewer on Reed alley, by the addition of the following proviso: "Provided that any person may connect with the said sewer upon the payment of a fair proportion of the cost thereof," and as amended have finally passed the same.

C. C. No. 216. A resolution authorizing the dredging of the harbor of the Monongahela river in front of the Brownsville packet landing.

Which was read.

Mr. **Shipton** moved,

To lay the resolution on the table.

On which motion a division was had, and there were twenty-eight ayes and eleven noes.

So the motion prevailed.

Mr. **Bruce**, by leave, presented.

[310] Resolved, That the North Side Wharfmaster be, and he is hereby authorized and directed to assume the duties of the South Side Wharfmaster, collect all wharfages from the South side wharf, until further direction from Councils.

Which was read and passed.

Mr. **Rodgers** called up.

S. C. Bill No. 285. An ordinance entitled, "An ordinance authorizing the opening of Chestnut street, from Wood street to Carson street.

Which was read once.

Mr. **A. W. Foster** moved,

To recommit the bill to the Street Committee.

The **President** ruled,

That the bill not having been referred to the Board of Viewers of Street Improvements by the Common Council, it must be so referred by this branch before it could be further considered.

And the bill was so referred.

Mr. **Fullerton**, by leave, called up.

C. C. Bill No. 191. An ordinance entitled, "An ordinance amending an ordinance entitled, an ordinance locating Second street; passed 15th of May, 1875.

Mr. **Fullerton** moved,

To suspend the rule to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended the bill was read a second time and agreed to.

And the title was read and agreed to.

Mr. **Fullerton** moved,

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atkinson, Barkley, Baum, Boyd, Bradley, Brown (L. T.), Bruce, Burns,

Carr, Chambers, Costillo, Dannals, Darlington, Felker, Foster (Alex. W.), Fullerton, Gray, Hays, Kennedy, Kerr, Lambie, Lappan, Littell, Moore (William), Moore (W. J.), MacConnell, McClurg, McKinley, Nantker, Negley, Nisbett, Nusser, O'Donnell, Reiman, Rolfe, Schwarm, Shipton, Sorg, Sterling, Taylor, Weigand, Watson, Aiken, President—43.

Noes—None.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Mr. **Darlington**, by leave, called up.

C. C. Bill No. 253. An ordinance entitled, An ordinance authorizing the repaving and recurburing of Sixth street, from Penn avenue to Liberty street.

Which was read.

Mr. **Darlington** moved,

To suspend the rule for the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended,

The bill was read a second time.

Mr. **W. J. Moore** moved,

To amend the first section of the bill by striking out the word "recurburing."

Which motion did not prevail.

And the bill as read was agreed to.

And the title was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Atkinson, Barkley, Baum, Boyd, Bradley, Brown (L. T.), Bruce, Burns, Carr, Chambers, Costillo, Dannals, Darlington, Evans, Flannery, Foster (Alex. W.), Fullerton, Gray, Hays, Holmes, Kennedy, Kerr, Lambie, Lappan, Littell, Miller, Moore (William), Moore (W. J.), MacConnell, McClurg, McKinley, Nantker, Negley, Nisbett, Nusser, O'Donnell, Reiman, Rodgers, Rolfe, Schwarm, Shipton, Sorg, Taylor, Watson, Aiken, President—46.

Noes—None.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Mr. **Darlington**, by leave, called up.

C. C. Bill No. 252. An ordinance entitled, An ordinance authorizing the repaving and recurburing of Market street, from railroad track on Fourth avenue to railroad track on Liberty street.

Which was read.

Mr. **Darlington** moved,

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended,

The bill was read a second time and agreed to.

And the title was read and agreed to.

The bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Atkinson, Barkley, Baum, Boyd, Bradley, Brown (L. T.), Bruce, Burns, Carr, Chambers, Costillo, Darlington, Evans, Felker, Foster (Alex. W.), Fullerton, Gray, Hays, Holmes, Kennedy, Kerr, Lappan, Miller, Moore (W. J.), MacConnell, McClurg, McKinley, Nantker, Negley, Nisbett, Nusser, O'Donnell, O'Neill, Reiman, Rolfe, Schwarm, Shipton, Sorg, Sterling, Taylor, Watson, Aiken, President—42.

Noes—None.
And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Mr. Darlington, by leave, called up,
C. C. Bill No. 218. An ordinance entitled, An ordinance fixing the number of the police force of the city of Pittsburgh.

Which was read.

Mr. Darlington moved,
That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended the bill was read a second time and agreed to.

And the title of the bill was read and agreed to.

Mr. Darlington moved,
The third reading of the bill.

Which motion prevailed.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Atkinson, Barclay, Baum, Bruce, Carr, Darlington, Duff, Evans, Foster (Alex. W.), Garrison, Gray, Hays, Holmes, Kennedy, Kerr, Lambie, Lappan, Littell, Moore (William), Moore (W. J.), McCandless, MacConnell, McClurg, McKinley, Nantker, Nisbett, Nusser, Patterson, Reiman, Shipton, Sorg, Watson, Aiken, President—34.

Noes—Messrs. Boyd, Bradley, Buckley, Burns, Costillo, Dannals, Felker, Flannery, Miller, Negley, O'Donnell, O'Neil, Rodgers, Rolfe, Schwarm, Sterling, Taylor, Weigand—18.

And a majority of the votes of Select Council not being in the affirmative the bill did not pass finally.

Mr. McClurg, by leave, called up,
S. C. Bill No. 202. An ordinance entitled, An ordinance amending an ordinance entitled, an ordinance authorizing the opening of Mary street, from Twenty-seventh street to Thirty-second street; passed November 29th, 1875.

Which was read.

Mr. McClurg moved,
That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended the bill was read a second time and agreed to.

And the title was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Atkinson, Barclay, Baum, Boyd, Bradley, Bruce, Buckley, Dannals, Darlington, Duff, Evans, Felker, Flannery, Foster (Alex. W.), Fullerton, Garrison, Gray, Hays, Kennedy, Kerr, Lappan, Littell, Moore (W. J.), MacConnell, McClurg, Nantker, Negley, Nisbett, Nusser, O'Donnell, Patterson, Rodgers, Rolfe, Schwarm, Sorg, Taylor, Weigand, Watson, Aiken, President—40.

Noes—Mr. Shipton—1.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Mr. Nantker, by leave, called up,
C. C. Bill No. 163. An ordinance entitled, An ordinance granting Margaret Mc-

Nally privilege to lay a pipe sewer on Second avenue.

Which was read.

Mr. Nantker moved,
That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended the bill was read a second time and agreed to.

And the title of the bill was read and agreed to.

Mr. Nantker moved,

That the bill be read a third time.

Which motion prevailed.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Barclay, Boyd, Bradley, Bruce, Buckley, Burns, Carr, Costillo, Darlington, Flannery, Fullerton, Hays, Kennedy, Kerr, Lappan, Littell, Miller, Moore (William), Moore (W. J.), McCandless, McClurg, McKinley, Nantker, Negley, Nisbett, Nusser, O'Neil, Reiman, Rodgers, Rolfe, Shipton, Sorg, Sterling, Weigand, Watson, Aiken, President—37.

Noes—None.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Mr. Kennedy, by leave, called up,
C. C. Bill No. 162. An ordinance entitled, An ordinance establishing the grade of Bluff street, from east curb of Pride street to east curb of Stevenson street.

Which was read.

Mr. Kennedy moved,
That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended the bill was read a second time and agreed to.

And the title was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Barclay, Baum, Bradley, Bruce, Buckley, Burns, Carr, Costillo, Darlington, Duff, Flannery, Foster (Alex. W.), Fullerton, Garrison, Gray, Hays, Holmes, Kennedy, Kerr, Lambie, Lappan, Littell, Moore (William), Moore (W. J.), McCandless, McClurg, McKinley, Nantker, Negley, Nisbett, Nusser, O'Donnell, O'Neil, Patterson, Reiman, Rodgers, Rolfe, Shipton, Sorg, Sterling, Weigand, Watson, Aiken, President—44.

Noes—None.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Mr. Atkinson, by leave, presented.
[311] Resolved, That the Ordinance Committee be, and they are hereby instructed to prepare an ordinance for the purpose of abolishing the office of South Side Wharf-master.

Which was read and passed.

Mr. Rolfe, by leave, called up,
C. C. Bill No. 2. An ordinance entitled, An ordinance vacating Hill street, from Brownsville avenue to Bailey's line.

Which was read.

Mr. Rolfe moved,

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended the bill was read a second time and agreed to.

And the title was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Atkinson, Barckley, Baum, Boyd, Bradley, Bruce, Burns, Costillo, Darlington, Flannery, Foster (Alex. W.), Garrison, Gray, Hays, Holmes, Kennedy, Lambie, Lappan, Littell, Moore (William), Moore (W. J.), McCandless, McClurg, McKinley, Nantker, Negley, Nisbett, Nusser, O'Donnell, O'Neill, Rodgers, Rolfe, Sorg, Sterling, Aiken, President—36.

Noes—Messrs. Weigand and Watson—2.

And a majority of the votes of Select Council not being in the affirmative the bill did not pass finally.

S. C. No. 255. Resolution granting Joseph Spelker right to construct a private sewer.

In S. C. May 28th, passed.

In C. C. June 11th, amended by the addition of the following words: Provided, that any person may connect with said sewer upon the payment of a fair proportion of the cost thereof.

And as amended passed.

In which action Select Council concurred. The Clerk of Common Council having been introduced, announced that Common Council had amended S. C. No. 310, resolution directing the Wharfmaster of the North Side wharf to collect all wharfage from the South Side wharf, by the addition of the following words: "Provided, that he shall receive no additional pay."

And on motion Select Council concurred in the action of Common Council.

And Council on motion adjourned.

COMMON COUNCIL.

W. W. THOMSON.....PRESIDENT *Pro Tem*.
GEORGE BOOTH.....CLERK.

MONDAY, June 25, 1877.

Council met.

Present—Messrs. Aull, Belfore, Bigham, Blume, Dierst, Egan, Forsythe, Fraunheim, French, Foley, Gallisath, Hanlon, Hogle, Johnston, Kinzer, Kemler, Kirchner, Kohne, Manning, McClarran (R. M.), McClarran (Newton), McKinley, O'Donnell, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Young.

Absent—Messrs. Fennerty, Gallagher, Higgins, McCafferty, Nantker, Pier, Rahauser, Weissner, Negley, President.

The minutes of the special meeting of June 22d were read and approved.

The Clerk of Select Council being introduced presented the following papers for concurrence:

S. C. Bill No. 194. An ordinance entitled, An ordinance authorizing the assessment of benefits and damages caused by the grading of Thirty-third street, from Liberty avenue to Herron avenue.

S. C. No. 169. An ordinance authorizing the grading of Center avenue, from Neville street to Liberty avenue.

Which, in Select Council were severally read three times and passed.

S. C. No. 240. Resolution for a warrant in favor of John King.

Which was read three times and passed.

S. C. No. 295. Report from the Water Committee on the award of contract for laying water pipes.

Which was read and approved.

S. C. No. 297. A report from the Committee on Allegheny Wharf for the month of May.

Which was read and accepted.

S. C. No. 294. Report from the Committee on Water for the month of May.

S. C. No. 289. Report from the Committee on Markets for the month of May.

Report from the Committee on City Property for the month of May, 1877.

S. C. No. 291. Report from the Committee on Roads for the month of May.

Which were severally read and accepted.

S. C. 285. Resolution for an extension of the fire alarm through the South Side hill wards.

Which was read and passed.

Also, announced that Select Council had concurred with Common Council in the action had on the following papers:

The following reports from committees:

C. C. 181. Streets.
C. C. 188. Printing.
C. C. 187. Monongahela wharf.
C. C. 145. Streets.
C. C. 110. Audit accounts of the Guardians of the Poor.
C. C. 109. Monongahela wharf.
C. C. 98. Police.
C. C. 94. Streets.
C. C. 146. Police.
C. C. 65. Dedication by Francis Sellers, of Harrison street.
64 C. C. Dedication by Francis Sellers, of Arabella street.

Resolution giving to the Woman's Christian Temperance Association the right to erect drinking fountains.

C. C. 111. Resolution for the preparation of an Act of Assembly providing for the advertisement for contracts for supplies for the Guardians of the Poor.

C. C. No. 142. Resolution instructing the City Treasurer to receive warrants on the Treasurer for taxes or other claims.

C. C. 48. Resolution exonerating overpaid taxes.

S. C. Bill No. 168. An ordinance authorizing the assessment of benefits and damages caused by the grading of Garden street.

C. C. No. 185. Report of the Board of Viewers of Street Improvements on the damages caused by the opening of Forty-seventh street, from the south side of the Allegheny Valley Railroad to the north side of the Allegheny Valley Railroad.

Mr. Kinzer presented,

225. Petition for water main on Forbes street, from Brady street to the Fourteenth ward school house.

Which was referred to the Water Committee.

ALSO, 226. Petition for the opening of Murphy street, from Fifth avenue to Forbes street.

Which was referred to the Committee on Roads.

ALSO, 227. Communication from the Board of Health transmitting a petition for and report of the Sanitary Committee of said Board, recommending the construction of a sewer on line of Soho Run, between Fifth avenue and Forbes street.

Which was referred to the Committee on Roads.

Mr. McClarran (R. M.) presented, 228. Petition of James Parker and J. G. Beam for privilege to use a vacant lot, owned by the city, at the corner of Scott and Railroad streets, Twentieth ward.

Which was referred to the Committee on City Property.

Mr. Foley presented, 229. Report of the Viewers of Street Improvements on the damages and benefits caused by the grading of Ridge street, from Thirty-third street to Roup street.

Which was approved.

ALSO, 230. Report of the Viewers of Street Improvements on the opening of Reservoir avenue, from River avenue to Hiland avenue reservoir.

Which was approved.

Mr. Rea voting no.

Mr. Dierst presented from the Committee on Appeals, affirmatively.

231. Resolved, That the City Controller be, and he is hereby authorized and directed to issue his certificates on the Mayor for warrants in favor of the following named persons for the refunding of overpaid taxes, and charge the same to the contingent fund: Newton McClarran, Twenty-second

ward.....	\$ 5 86
Philopoea Sorg, Twenty-eighth ward...	5 26
Owen Traynor, Thirty-sixth ward.....	44 35
John Gaither, Eighth ward.....	41 88

Which was read.

And the rule having been suspended to allow the consideration and final passage of the resolution.

The resolution was read a second and third time and finally passed.

Also, from the Appeal Committee affirmatively,

232. Resolved, That the City Treasurer be, and he is hereby directed to exonerate (on account of poverty) all taxes assessed against each of the following named persons, viz:

John Sheehan, Twenty-seventh ward; John O'Brien, Fourteenth ward; Elizabeth Manning, Sixth ward; Mary Ludolph, Sixth ward.

Which was read.

And the rule having been suspended to allow the consideration and final passage of the resolution.

The resolution was read a second and a third time and finally passed.

The Clerk of Select Council being introduced presented for concurrence:

213 S. C. Resignation of Harry Moore, Wharfmaster of the South Side wharves.

In S. C. June 25th, read and accepted.

Which, the rule having been suspended, the action of S. C. was concurred in.

Mr. O'Donnell presented, from the Committee on Wooden Buildings, affirmatively, 196 C. C. An ordinance entitled, "An ordinance granting the Dithridge Glass Company right to erect an iron-clad building."

Which was read.

And the rule was suspended to allow the consideration and final passage of the bill.

And the bill was read a second time.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Blume, Dierst, Forsythe, Frauenheim, French, Foley, Gallisath, Hanlon, Hogle, Johnston, Kemler, Kirchner, Kohne, Manning, McClarran (R. M.), McClarran (Newton), McKinley, O'Donnell, Rea, Schuman, Schwarm, Thomson, Voskamp, Walker, Wamhoff, Young—29.

Noes—Mr. Egan—1.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

Also, from the Committee on Wooden Buildings, affirmatively,

284 S. C. An ordinance entitled, "An ordinance granting Challinor, Hogan & Co. right to erect two frame additions to their glass works."

Which was read.

And the rule having been suspended to allow the consideration and final passage of the bill,

The bill was read a second time.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Blume, Dierst, Egan, Forsythe, Frauenheim, French, Foley, Gallisath, Hanlon, Hogle, Johnston, Kinzer, Kemler, Kirchner, Kohne, Manning, McClarran (R. M.), McClarran (Newton), McKinley, Rea, Schuman, Schwarm, Thomson, Voskamp, Walker, Wamhoff, Young—30.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

The Clerk of Select Council being introduced,

Announced that Select Council had fixed the hour of three o'clock P. M. to meet with Common Council in Joint Session for the purpose of electing a Wharfmaster for the South Side wharves.

Mr. O'Donnell presented from the Committee on Wooden Buildings, affirmatively, 275 S. C. An ordinance entitled, "An ordinance granting W. H. Hamilton & Co. right to erect an iron clad building."

Which was read.

And the rule was suspended to allow the consideration and final passage of the bill.

And the bill was read a second time.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Blume, Dierst, Egan, Forsythe, Frauenheim, French, Foley, Gallisath, Hanlon, Hogle, Johnston, Kinzer, Kemler, Kirchner, Kohne, McClarran (R. M.), McClarran (Newton), Mc-

Kinley, O'Donnell, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Young—31.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

Also, from the Committee on Wooden Buildings, affirmatively.

273 S. C. An ordinance entitled, "An ordinance granting the Pittsburgh, Cincinnati and St. Louis Railroad Company the right to erect frame buildings for freight and passenger depots."

Which was read.

And the rule was suspended to allow the consideration and final passage of the bill.

And the bill was read a second time.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Blume, Dierst, Forsythe, Frauenheim, French, Foley, Gallisath, Hanlon, Hogle, Johnston, Kinzer, Kirchner, Kohne, McClarran (R. M.), McKinley, O'Donnell, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Wamhoff, Young—26.

Noes—Messrs. Egan, Manning, McClarran (Newton), Rea, Walker—5.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

Mr. Foley presented (for Mr. Fennerty).

233. Petition of John McCarthy, Fifteenth ward, for refunding of overpaid taxes.

234. Petition of Joseph White's heirs, Fifteenth ward, for refunding of overpaid tax.

235. Petition of Harriet White for refunding of overpaid tax, Fifteenth ward.

236. Petition of M. P. Howley for refunding of overpaid tax, Fifteenth ward.

Which were severally referred to the Board of Assessors.

Mr. Foley, by leave, called up.

No. 218 C. C. An ordinance entitled, "An ordinance fixing the number of the police force of the city of Pittsburgh."

Which in C. C. June 22d, failed to pass for want of a legal majority.

Which was read.

The hour of three o'clock P. M. having arrived, and that being the time fixed for meeting in Joint Session for the purpose of electing one person to serve as Wharfmaster of the South Side wharves, the Clerk was directed to notify Select Council that Common Council were now ready to meet in Joint Session for that purpose.

Which was done.

The Clerk of Select Council being introduced, announced that Select Council was now ready to meet with Common Council in Joint Session, for the purpose of electing one person to serve as Master of the South Side wharves.

And Select Council was introduced, and being so met in

JOINT SESSION,

Councils proceeded to said election.

Mr. Boyd nominated Robert Reed.

Mr. Rolfe nominated Evan Jones.

Mr. Carr nominated Kinsley T. O'Conner.

Mr. Sorg nominated N. K. Miller.

Mr. Schwarm nominated C. S. Evans.

Mr. Bigham nominated G. H. Leithead.

Mr. Kerr nominated John I. Verner.

Before proceeding to ballot

Mr. Aull moved.

That the Joint Session do now adjourn.

On which motion, the ayes and noes were demanded by Mr. Aull.

And the demand being sustained, the ayes and noes were ordered to be taken, and being taken, were as follows:

Ayes—Messrs. Aull, Belfore, Bigham, Blume, Egan, Forsythe, Frauenheim, French, Hanlon, Hogle, Kinzer, Kohne, Manning, McKinley, O'Donnell, Thomson, Voskamp, Wainwright, Walker, Wamhoff—20.

Noes—Messrs. Dierst, Foley, Gallisath, Johnston, Kemler, McClarran (R. M.), Rea, Schuman, Schwarm, Young—10.

And the result of the voting was as follows:

For adjournment fifty-seven.

Against adjournment thirty.

So the motion prevailed, and Select Council returned to its own chamber.

And Council again proceeded to the consideration of

C. C. No. 218. Entitled, "An ordinance fixing the number of the police force of the city of Pittsburgh."

Mr. Foley moved.

The third reading of the bill.

Which prevailed.

And the bill was read a third time.

Mr. Rea moved.

To amend the bill by striking out all of Section 1 after the words "January, 1878," on line three, as follows: "The police force of the city of Pittsburgh shall consist of one hundred and twenty men, which number shall include the Chief of Police, the Detectives, the Lieutenants, the patrolmen and the lamp-washers."

And by striking out the whole of Section 2.

And by striking out of Section 3, line one, the words "Section 3, that," and inserting the words "and pay" after the word "number," on line one of Section 3.

Which did not prevail.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Bigham, Forsythe, Frauenheim, French, Foley, Hanlon, Johnston, Kinzer, Kemler, Kohne, McCafferty, McKinley, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Young—22.

Noes—Messrs. Belfore, Dierst, Egan, Hogle, McClarran (R. M.), O'Donnell—6.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

The Clerk of Select Council being introduced presented for concurrence.

220 S. C. A resolution directing the Master of the Monongahela wharf to collect all wharfage on the South Side wharf.

Mr. Aull, by leave, called up.

169 S. C. An ordinance entitled, "An ordinance authorizing the grading of Center avenue, from Neville street to Liberty avenue."

In S. C. June 11th, passed.

Which was read.

And on motion of

Mr. Aull the rule was suspended to allow the consideration and final passage of the bill.

And the bill was read a second time.
And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Dierst, Forsythe, Frauenheim, French, Foley, Hogle, Johnston, Kemler, Kohne, Manning, McClarran (R. M.), McClarran (Newton), McKinley, O'Donnell, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Young—26.
Noes—Mr. Hanlon—1.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

Mr. Bigham, by leave, called up,
No. 237 S. C. An ordinance entitled, "A further supplement to the ordinance of February 7th, 1870, entitled, an ordinance to provide for the safe keeping and custody of the funds of the city."

In S. C. May 28th, passed.
In C. C. June 11th, amended.
Which was read.

And the rule having been suspended to allow the final passage of the bill, the bill as amended was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Bigham, Dierst, Egan, Forsythe, Frauenheim, French, Foley, Hanlon, Johnston, Kinzer, Kemler, Kohne, Manning, McClarran (Newton), McKinley, O'Donnell, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Walker, Young—25.
Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

BUSINESS FROM SELECT COUNCIL.

219 S. C. Report from the Committee on Water Extension, reporting the award of contract for building engine and boiler houses for the new pumping works, to J. D. Walker & Co., for the sum of forty-seven thousand one hundred and sixty-seven dollars.

In S. C. June 25th, approved.
Which was read.

Mr. Kemler moved,
To concur in the action of Select Council in the approval of the report.

On which Mr. Aull demanded the ayes and noes, and the demand being sustained, the call was ordered and taken, and were:

Ayes—Messrs. Bigham, Dierst, Egan, Frauenheim, French, Foley, Hanlon, Hogle, Johnston, Kinzer, Kemler, Kohne, Manning, McClarran (Newton), McKinley, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Young—23.
Noes—Messrs. Aull, Forsythe, O'Donnell, Rea—4.

And a majority of the votes of Common Council being in the affirmative, the action of S. C. was concurred in, and the report was approved.

Mr. Bigham moved,
To reconsider the action had this day, in the final passage of

No. 237 S. C. An ordinance entitled, "A further supplement to the ordinance of

February 7th, 1870, entitled, an ordinance to provide for the safe keeping and custody of the funds of the city."

Which was passed this day, as amended.

Which motion, on a division being had, prevailed by a vote of ayes 13, noes 7.

So the action of Common Council in the final passage of the bill, as amended, was reconsidered.

Mr. Bigham moved,

To reconsider the action of June 11th, in the amendment of the bill.

Which prevailed.

And the question recurring on the adoption of the amendments to the bill as proposed June 11th,

The amendments did not prevail.

And on the question, "Shall the bill as reported from Select Council pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Dierst, Egan, Forsythe, Frauenheim, French, Hanlon, Johnston, Kinzer, Kemler, Kohne, Manning, McClarran (Newton), McKinley, O'Donnell, Rea, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Young—26.
Noes—Messrs. Foley and Hogle.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

Mr. Aull presented from the Committee on Surveys, affirmatively,

224 C. C. An ordinance entitled, "An ordinance establishing the grade of Reservoir avenue."

Which was read.

And the rule was suspended to allow the consideration and final passage of the bill.

And the bill was read a second time.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Dierst, Egan, Forsythe, Frauenheim, French, Foley, Hanlon, Hogle, Johnston, Kinzer, Kemler, Kohne, Manning, McClarran (Newton), McKinley, O'Donnell, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Young—27.
Noes—Mr. Rea.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

The Clerk of S. C. being introduced presented for concurrence:

No. 221 S. C. A resolution directing the Committee on Ordinances to prepare an ordinance abolishing the office of South Side Wharfmaster.

In S. C. June 25th, passed.

In which action C. C. concurred.

220 S. C. Resolution directing the Master of the Monongahela wharf to assume the duties of Master of the South Side wharf and collect all wharfage.

In S. C. June 25th, passed.

Which was read.

Mr. Foley moved,

To amend the resolution by adding the following: "Provided, that he shall receive no additional pay."

Which prevailed.

And the resolution as amended was passed finally.

The Chair presented the following:

No. 186 C. C. Resolution for payment

of assessment against the city for Coral and Rebecca streets sewer.

Be it resolved, &c., That the City Controller shall be, and he is hereby directed to issue his certificate for a warrant in favor of C. L. Magee, City Treasurer, for the sum of eleven hundred and three dollars and forty-four cents, said sum being for the assessment against the city of Pittsburgh for a portion of the cost and expense of the construction of a public sewer in Coral and Rebecca streets, and to charge the same to the contingent fund.

Which, in C. C. May 14, was read and action postponed, until the City Attorney explains why the city is compelled to pay this amount.

The following explanation of the City Attorney was endorsed on the paper, viz.:

"In explanation, I have only to say that the Board of Viewers in making an assessment of the cost of the Rebecca street sewer, were unable to find properties benefited to an amount sufficient to cover the entire cost of sewer, and were compelled to assess directly against the city, the amount stated in the resolution. The resolution should be passed."

Very respectfully,
THOMAS BIGELOW,
City Attorney.

The resolution and the explanation were read.

And the rule having been suspended the resolution was read a third time.

Mr. Aull moved,

The passage of the resolution.

Which motion did not prevail.

And the resolution failed to pass.

189 C. C. An ordinance entitled, "An ordinance granting Thomas Ogden leave to erect a frame dwelling house."

In S. C. May 14th, passed.

Which was read.

And the rule was suspended to allow the consideration and final passage of the bill.

And the bill was read a second time.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Aull, Bigham, Dierst, Forsythe, Frauenheim, French, Foley, Hanlon, Hogle, Johnston, Kinzer, Kohne, Manning, McKinley, O'Donnell, Rea, Schwarm, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Young—24.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

No. 192 S. C. An ordinance entitled, "An ordinance granting Murray & Elmore right to erect an iron-clad building."

In S. C. May 14, passed.

Which was read.

And the rule was suspended to allow the consideration and final passage of the bill.

And the bill was read a second time.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Dierst, Forsythe, Frauenheim, French, Foley, Hanlon, Hogle, Johnston, Kinzer, Kemler, Kohne, Manning, McKinley, O'Donnell,

Schwarm, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Young—24.

Noes—Mr. Rea—1.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

194 C. C. An ordinance entitled, "An ordinance authorizing the assessment of the damages and benefits caused by the grading of Thirty-third street, from Liberty avenue to Herron avenue.

In S. C. June 11th, passed.

Which was read.

And the rule was suspended to allow the consideration and final passage of the bill.

And the bill was read a second time.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Belfore, Bigham, Dierst, Forsythe, Frauenheim, French, Foley, Hanlon, Hogle, Johnston, Kinzer, Kemler, Kohne, Manning, McKinley, O'Donnell, Rea, Schwarm, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Young—24.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

231 S. C. Resolution directing the Committee on Finance to file an answer joining in the petition praying for an injunction to restrain the City Treasurer from appointing a Collector of Delinquent Taxes, under the provisions of the Act of Assembly known as bill No. 102.

In S. C. May 14, passed.

In which action C. C. concurred.

245 S. C. Resolution directing the City Attorney to give a written opinion as to the power of the city to collect the assessments for the improvement of Sylvan avenue extension, and if the property on the line of the street cannot be made to pay for the improvement, to take such steps as shall prevent any further outlay of money on the same.

In S. C. May 14th, passed.

In which action C. C. concurred.

240 S. C. Resolution for a warrant in favor of John King, for the sum of \$50.54, said amount being balance due on contracts for the construction of boardwalks on South street and McLain avenue.

In S. C. June 11th, passed.

In which action C. C. refused to concur.

292 S. C. Report of the Viewers of Street Improvements on the opening of Center avenue, from Neville street to Liberty avenue.

In S. C. June 11th, approved.

In which action C. C. concurred.

293 S. C. Preliminary report of the Board of Viewers of Street Improvements on the grading of Center avenue, from Neville street to Liberty avenue.

In S. C. June 11th, received.

In which action C. C. concurred.

285 S. C. Resolution for the extension of the fire alarm telegraph through the South Side hill wards.

In S. C. June 11th, passed.

In which action C. C. concurred.

291 S. C. Report of the Committee on Roads for the month of May.

In S. C. June 11th, read and accepted.

In which action C. C. concurred.

295 S. C. Report of the Committee on Water, reporting award of contract for laying

water pipe on Forty-second street, to D. N. & R. J. McGaffin.

In S. C. June 11th, read and approved.

In which action C. C. concurred.

297 S. C. Report of the Committee on Allegheny Wharf for May.

In S. C. June 11th, read and accepted.

In which action C. C. concurred.

294 S. C. Report of the Committee on Water for May.

In S. C. June 11th, read and accepted.

In which action C. C. concurred.

288 S. C. Report of the Committee on City Property for the month of May.

In S. C. June 11th, read and accepted.

In which action C. C. concurred.

289 S. C. Report of the Committee on Markets for the month of May.

In S. C. June 11th, read and accepted.

In which action C. C. concurred.

Adjourned.

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

VOL. 10. WEDNESDAY, JUNE 27, 1877. NO. 23.

Municipal Record.

SELECT COUNCIL.

DAVID AIKEN, JR.....PRESIDENT.
E. S. MORROW.....CLERK.

PITTSBURGH, June 27, 1877.

E. S. Morrow, Esq., Clerk of Select Council:

You will please call special meeting of Select Council to meet on Friday, the 29th inst., at two o'clock, P. M., to consider Bill relating to the number of police, and oblige.

Yours truly,

DAVID AIKEN, JR.,
President Select Council.
PITTSBURGH, June 29, 1877.

Council met pursuant to the foregoing call.

Present—Messrs. Atkinson, Bradley, Buckley, Carr, Chambers, Costillo, Darlington, Duff, Felker, Foster (Alex. W.), Foster (W. S.), Garrison, Gourley, Gray, Hays, Herron, Holmes, Kernan, Kerr, Lambie, Littell, Meyer, Moore (William), Moore (W. J.), McCandless, McClurg, McKinley, Nantker, Negley, Nusser, Owens, Reiman, Rodgers, Rolfe, Schwarm, Shipton, Sorg, Weigand, Watson, Aiken, President.

Absent—Messrs. Ahl, Barclay, Baum, Boyd, Brown (L. T.), Brown (Samuel S.), Bruce, Burns, Dannals, Evans, Flannery, Fox, Fullerton, Holliday, Hoeh, Kelly, Kennedy, Lagerman, Lappan, Miller, MacConnell, Nisbett, Noble, O'Donnell, O'Neill, Patterson, Powers, Sawyer, Schild, Sterling, Taylor, Welsh.

Mr. **Shipton** moved,
To dispense with the reading of the minutes.

Which motion prevailed.

Council proceeded to the consideration of C. C. Bill No. 218, an ordinance entitled, "An ordinance fixing the number of the police force of the city of Pittsburgh."

Which, in Select Council June 25th, failed to pass finally for want of a legal majority.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atkinson, Bradley, Buckley, Carr, Darlington, Duff, Felker, Foster (Alex. W.), Foster (W. S.), Garrison, Gray, Hays, Herron, Kernan, Kerr, Lambie, Littell, Moore (William), Moore (W. J.), McCandless, McClurg, McKinley, Nantker, Nusser, Owens, Reiman, Rolfe, Shipton, Sorg, Watson, Aiken, President—31.

Noes—Messrs. Chambers, Costillo, Gourley, Meyer, Negley, Rodgers, Schwarm, Weigand—8.

And a majority of the votes of Select Council no being in the affirmative the bill did not pass finally.

The **President** presented the following:
To the Select and Common Councils of the City of Pittsburgh:

In behalf of the stockholders of the Nation Trust Company we beg leave to call your attention to the \$75,000 which remains unpaid, and which, under the terms of the compromise heretofore made, became due on the first day of July. At the time of the making of the said compromise, it was supposed that the funds requisite to pay in full the moneys which the city agreed to take would be either paid voluntarily by certain parties who had given securities to Mr. Negley, as Trustee for the creditors, or that legal proceedings to enforce said payment should be instituted by the Trustee. The payments not having been made, suits were instituted by Mr. Negley, which have been so proceeded in that judgments for a much larger sum than that which remains due to the city and other creditors have been obtained. Writs of error had, however, been sued out by the defendants, and an unexpected delay has thus been occasioned. This delay cannot last beyond the approaching session of the Supreme Court, but we deem it due to your honorable bodies to inform you that every effort has been and will be made to compel payment of the balance coming to the city.

GEORGE SHIRAS, JR.,
S. SCHUYER, JR.,

Attorneys for the Nation Trust Company.

June 29, 1877.

Which was read and received.

The Clerk of Common Council being introduced presented the following papers for concurrence:

No. 275 S. C. An ordinance entitled, "An ordinance granting W. H. Hamilton & Co. right to erect an iron-clad building."

In C. C. June 25, passed.

No. 284 S. C. An ordinance entitled, "An ordinance granting Challinor, Hogan & Co. right to erect two frame additions to their glass works."

In C. C. June 25, passed.

No. 196 C. C. An ordinance entitled, "An ordinance granting Dithridge Glass Company right to erect an iron-clad building."

In C. C. June 25, passed.

No. 224 C. C. An ordinance entitled, "An ordinance establishing the grade of Reservoir avenue."

In C. C. June 25, passed.

No. 273 S. C. An ordinance entitled, "An ordinance granting the Pittsburgh, Cincinnati and St. Louis Railroad Company the right to erect frame buildings for freight and passenger depots.

In C. C. June 25, passed.

No. 231 C. C. A resolution authorizing the refunding of overpaid taxes.

In C. C. June 25, passed.

232 C. C. Resolution for exoneration of certain taxes.

C. C. June 25, passed.

No. 230 C. C. A report of the Viewers of Street Improvements on the opening of Reservoir avenue, from River avenue to Highland avenue reservoir.

In C. C. June 25, approved.

No. 229 C. C. A report of the Viewers of Street Improvements on the damages and benefits caused by the grading of Ridge street, from Thirty-third street to Roup street.

In C. C. June 25, approved.

Also, that Common Council had concurred in the action of Select Council on the following papers:

No. 194 C. C. An ordinance entitled, "An ordinance authorizing the assessment of damages and benefits caused by the grading of Thirty-third street, from Liberty avenue to Herron avenue."

No. 169 S. C. An ordinance entitled, "An ordinance authorizing the grading of Center avenue, from Neville street to Liberty avenue."

No. 169 C. C. An ordinance entitled, "An ordinance granting Thomas Ogden leave to erect a frame dwelling house."

No. 192 S. C. An ordinance entitled, "An ordinance granting Murray & Elmore right to erect an iron-clad building."

No. 237 S. C. An ordinance entitled, "A further supplement to the ordinance of February 7, 1870, entitled, an ordinance to provide for the safe keeping and custody of the funds of the city."

No. 231 S. C. A resolution directing the Finance Committee to join in the bill in equity asking for an injunction to restrain the City Treasurer from appointing a Collector of Delinquent Taxes, under the Act of Assembly, commonly known as Bill No. 102.

No. 245 S. C. A resolution directing the City Attorney to prepare and furnish to Councils a written opinion as to the power of the city to collect assessments for the grading of Sylvan avenue extension.

No. 255 S. C. A resolution for the extension of the fire alarm telegraph through the South Side hill wards.

No. 292 S. C. A report of the Viewers of Street Improvements on the opening of Center avenue, from Neville street to Liberty avenue.

No. — S. C. A report of the Viewers of Street Improvements on the grading of Center avenue, from Neville street to Liberty avenue.

No. 295 S. C. Report of the Water Committee on the award of contract for laying pipe on Forty-second street.

No. 288 S. C. Report of the Committee on City Property for May.

No. 289 S. C. Report of the Committee on Markets for May.

No. 291 S. C. Report of the Committee on Roads for May.

No. 294 S. C. Report of the Committee on Water for May.

No. 297 S. C. Report of the Committee on Allegheny Wharf for May.

Also, announcing that Common Council had refused to concur in the action of Select Council on the following paper:

No. 240 S. C. A resolution for a warrant in favor of John King for building board-walks on South street and McLain avenue.

Mr. McCandless, by leave, called up.

C. C. No. 230. A report from the Board of Viewers of Street Improvements on the benefits and damages caused by the opening of Reservoir avenue, from River avenue to Highland avenue reservoir.

Which was read and approved.

Also, by leave, called up.

C. C. Bill No. 224. An ordinance entitled, "An ordinance establishing the grade of Reservoir avenue."

Which was read.

Mr. McCandless moved,

To suspend the rules to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended,

The bill was read a second time and agreed to.

And the title of the bill was read and agreed to.

Mr. McCandless moved,

The third reading of the bill.

Which motion prevailed.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Bradley, Buckley, Carr, Costillo, Darlington, Felker, Foster (Alex. W.), Foster (W. S.), Garrison, Gourley, Gray, Hays, Herron, Holmes, Kernan, Kerr, Lambie, Littell, Meyer, Moore (William), Moore (W. J.), McCandless, McClurg, McKinley, Nantker, Negley, Nusser, Owens, Reiman, Rodgers, Rolfe, Schwarm, Shipton, Sorg, Weigand, Watson, Aiken, President—37.

Noes—None.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Mr. Lambie moved,

That when Council adjourn, it adjourn to meet on Saturday, June 30, at two o'clock P. M.

Which motion prevailed.

Mr. Carr, by leave, called up.

S. C. Bill No. 284. An ordinance granting Challinor, Hogan & Co. right to erect two frame additions to their glass works.

Which was read.

Mr. Carr moved,

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended the bill was read a second time and agreed to.

And the title of the bill was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Bradley, Buckley, Carr, Costillo, Darlington, Felker, Foster (Alex. W.), Foster (W. S.), Gourley, Gray, Hays, Herron, Holmes, Kernan, Kerr, Lambie, Littell, Meyer, Moore (William), McCandless, McClurg, McKinley, Nantker, Negley, Nusser, Owens, Reiman, Rodgers, Rolfe,

Schwarm, Shipton, Sorg, Weigand, Watson, Aiken, President—35.

Noes—None.

And a majority of the votes of Select Council not being in the affirmative the bill did not pass finally.

Mr. **Darlington** presented.

[313] *Resolved*, That the report of the Board of Viewers of Street Improvements on the benefits and damages caused by the opening of Exchange alley, from Seventh street to Baker's alley be recommitted to the Board of Viewers.

Which was read and passed.

Mr. **Carr**,

[314] Petition of Louis Fritz for an abatement of taxes.

Which was referred to the Board of Assessors.

Mr. **Rodgers**,

[315] A preliminary report of the Board of Viewers of Street Improvements on S. C. Bill No. 265, an ordinance authorizing the opening of Chestnut street, from Wood street to Carson street.

Which was read.

Mr. **A. W. Foster** moved,

To refer the report to the Street Committee.

Which motion prevailed.

Mr. **Buckley**, by leave, called up,

S. C. Bill No. 265. An ordinance entitled, An ordinance authorizing the opening of Chestnut street, from Wood street to Carson street.

And moved its reference to the Street Committee.

Which motion prevailed.

C. C. resolution No. 224. Directing the Clerks to furnish pads for the use of the members of Councils.

Was read.

Pending action Mr. **Herron** demanded a call of the house, and the demand being sustained was ordered to be made.

And the roll being called the following members answered to their names:

Messrs. Bradley, Bruce, Buckley, Carr, Darlington, Felker, Foster (Alex. W.), Gourley, Gray, Hays, Herron, Holmes, Kerr, Kerr, Littell, Meyer, Moore (William), Moore (W. J.), McClurg, McKinley, Nantker, Negley, Nusser, Owens, Reiman, Rodgers, Rolfe, Schwarm, Shipton, Sorg, Weigand, Watson, Aiken, President.

And there being no quorum Council adjourned.

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

VOL. 10. SATURDAY, JUNE 30, 1877. NO. 24.

Municipal Record.

SELECT COUNCIL.

DAVID AIKEN, JR.....PRESIDENT.
E. S. MORROW.....CLERK.

PITTSBURGH, June 30, 1877.

Council met pursuant to adjournment.

Present—Messrs. Ahl, Atkinson, Baum, Boyd, Bradley, Carr, Chambers, Duff, Evans, Felker, Foster (W.S.), Fox, Garrison, Gourley, Gray, Hays, Herron, Holmes, Kerr, Lambie, Lappan, Littell, Moore (W. J.), McCandless, MacConnell, McClurg, McKinley, Nantker, Negley, Nusser, Reiman, Rodgers, Rolfe, Schwarm, Shipton, Sorg, Taylor, Weigand, Watson, Welsh, Aiken, President.

Absent—Messrs. Barckley, Brown (L. T.), Brown (Samuel S.), Bruce, Buckley, Burns, Costillo, Dannals, Darlington, Flannery, Foster (Alex. W.), Fullerton, Hoeh, Holliday, Kelly, Kennedy, Kernan, Lagerman, Meyer, Miller, Moore (William), Nisbett, Noble, O'Donnell, O'Neill, Owens, Patterson, Powers, Sawyer, Schild, Sterling.

The reading of the minutes was postponed.

Council proceeded to the consideration of the unfinished business from Common Council on the desk.

C. C. No. 75. A resolution recommending the passage of House Bill No. 420.

Was read and laid on the table.

C. C. No. 47. Resolution for the refunding of overpaid taxes.

Which, the rule having been suspended, was read a third time and finally passed.

C. C. No. 122. A resolution for the appointment of a committee to inquire into the subdivision of Pittsburgh into five municipalities for local government, remaining one city for general purposes.

Which was read and laid upon the table.

C. C. No. 5. Resolution for a warrant in favor of John O'Keefe, assignee of H. Frey-vogle.

Which, the rule being suspended, was read three times and finally passed.

C. C. No. 33. Resolution requesting the Fire Commission to confer with the Committee on Monongahela Wharf, relative to cleaning the wharf.

Which was read and passed.

C. C. No. 66. Resolution relative to the funding of the bonded indebtedness of the city of Pittsburgh at a lower rate of interest.

Which was read and passed.

C. C. No. 55. Resolution requesting the City Attorney to report form of an Act of Assembly providing for assessment of streets improved under the Penn Avenue act.

Which was referred to the Committee of Nine appointed to draft an act for the assessment of the cost of streets improved under the Penn Avenue act.

C. C. No. 51. A resolution requiring city officers to report the number of persons employed by them and the salaries paid and under what authority.

Which was read and passed.

C. C. No. 56. Resolution relative to the preparation of plans for engine house at the new water works.

Which was read and laid on the table.

Mr. McCandless called up,

C. C. Bill No. 218. An ordinance entitled, An ordinance fixing the number of the police force of the city of Pittsburgh.

In S. C. June 29th, failed to pass for want of a legal majority.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Atkinson, Baum, Boyd, Bradley, Carr, Duff, Evans, Felker, Foster (W. S.), Fox, Garrison, Gray, Hays, Herron, Holmes, Kerr, Lambie, Lappan, Littell, Moore (W. J.), McCandless, MacConnell, McClurg, McKinley, Nantker, Negley, Nusser, Reiman, Rolfe, Schwarm, Shipton, Sorg, Taylor, Watson, Welsh, Aiken, President—37.

Noes—Messrs. Chambers, Gourley, Rodgers, Weigand—4.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

And on motion Council adjourned.

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

VOL. 10.

MONDAY, JULY 9, 1877.

NO. 25.

Municipal Record.

SELECT COUNCIL.

DAVID AIKEN, JR. PRESIDENT.
E. S. MORROW CLERK.

MONDAY, July 9, 1877.

Council met.

Present—Messrs. Ahl, Atkinson, Barkley, Baum, Boyd, Bradley, Brown (L. T.), Bruce, Burns, Carr, Costillo, Dannals, Darlington, Foster (W. S.), Fox, Gourley, Gray, Hays, Herron, Hoeh, Holliday, Holmes, Kennedy, Kerr, Lagerman, Littell, Meyer, Moore (William), Moore (W. J.), McCandless, McClurg, McKinley, Nantker, Negley, Nisbett, Noble, Nusser, O'Donnell, O'Neill, Owens, Powers, Reiman, Rodgers, Shipton, Sorg, Sterling, Taylor, Weigand, Watson, Welsh, Aiken, President.

Absent—Messrs. Brown (Samuel S.), Buckley, Chambers, Duff, Evans, Felker, Flannery, Foster (Alex. W.), Fullerton, Garrison, Kelly, Kernan, Lambie, Lappan, Miller, MacConnell, Patterson, Rolfe, Sawyer, Schild, Schwarm.

On motion, Council dispensed with the reading of the minutes.

The Clerk to the Mayor having been introduced, presented,

A message from the Mayor returning to Councils without his signature, S. C. Bill No. 237, a further supplement to the ordinance of February 7, 1870, entitled "An Ordinance to provide for the safe keeping and custody of the funds of the city:

[316]

To the President and members of Councils.

I herewith return, without my approval, ordinance No. 237, entitled "a further supplement to the ordinance of February 7, 1870, entitled an ordinance to provide for the safe keeping and custody of the funds of the city," for the reason that section 5 of the ordinance conflicts with the 6th section of the Act of Assembly of February 28, 1868, which will be found on page 203 of the city code, to which you are respectfully referred.

Yours respectfully,

W. C. McCARTHY, Mayor.

Also,

A message from the Mayor returning to Councils, without his signature, S. C. Bill No. 49, an ordinance amending an ordinance

entitled "An ordinance authorizing the opening of Mary street, from Twenty-seventh to Thirty-second streets, passed November 29, 1875."

[317]

To the President and Members of Councils:

I herewith return to your honorable body ordinance No. 49, entitled "An ordinance authorizing the opening of Mary street, from Twenty-seventh to Thirty-second streets, passed November 29th, 1875," for the reason that the parties in interest on Mary street are opposed to the opening ordinance as it will do them no good and cause an unnecessary expense which they are not willing to incur in the face of the heavy taxation they are now subjected to.

Yours respectfully,

W. C. McCARTHY,
Mayor.

Which were severally read and received.

Mr. Littell moved,

To postpone action on the bills referred to in the messages from the Mayor.

Which motion prevailed.

Mr. Darlington presented,

[318] A petition for the grading and paving of Exchange alley, from Fourth street to Evans alley.

Which was referred to the Street Committee.

Mr. Sterling,

[319] Petition from Denlinger & Bro. for refunding of overpaid taxes.

Which was referred to the Finance Committee.

Also,

[320] An Ordinance authorizing the opening of Murphy street, from Fifth avenue to Forbes street.

Which was referred to the Road Committee.

Mr. L. T. Brown,

[321] Petition of Sophia Leiser for damages caused to property by reason of overflow of water on Forbes street.

Which was referred to the Road Committee.

Also,

[322] Petition of Jno. Donovan for exoneration from payment of taxes in the Fourteenth ward.

Which was referred to the Committee on appeals.

Also,

[323] A supplementary remonstrance against the construction of a sewer on Henry, Craig, Washington and Boundary streets.

Which was referred to the Road Committee.

Mr. Taylor.

[324] An Ordinance granting Davis, Chambers & Co. right to erect a frame shed, Which was referred to Committee on Wooden Buildings.

Mr. Negley, the following:

[325] Resolved, That the Controller be directed to issue his certificate on the Mayor for warrants in favor of the following named persons for the amounts set opposite their names respectively for refunding overpaid taxes:

Mrs. Ellen Owens.....\$3 40
Clarence M. Johns.....48 65
and charge the same to the Contingent Fund.
Which was read.

And the rule having been suspended, the resolution was read a second and third times and finally passed.

Mr. McCandless,

[326] A report from the Water Committee covering a statement of the expenditures (\$7,627.38) for the month of June.

Which was read and received.

ALSO,

[327] A report from the Water Committee setting forth that they had appointed M. L. Malone Superintendent and Inspector of construction of the Engine and Boiler Houses for the new water works at a salary of \$4.00 per day, and asking Councils to approve their action in the premises.

Which was read.

Mr. McCandless moved,

To approve the report.

On which motion the ayes and noes were demanded by **Mr. Gourley**, and the demand having been sustained, the ayes and noes were ordered to be taken, and were:

Ayes—Messrs. Baum, Boyd, Bradley, Brown (L. T.), Bruce, Dannals, Darlington, Foster (W. S.), Hoeh, Kennedy, Kerr, Moore (William), McCandless, McKinley, Negley, Owens, Powers, Shipton, Sorg, Taylor, Weigand, Watson, Welsh, Alken, President—24.

Noes—Messrs. Barclay, Burns, Carr, Costillo, Fox, Gourley, Gray, Hays, Herron, Holliday, Holmes, Lagerman, Littell, Meyer, Nantker, Nisbett, Noble, Nusser, O'Donnell, O'Neil, Reiman, Rodgers, Sterling—23.

So the motion prevailed, and the report was approved.

Mr. Littell rose to a point of order,

That for the approval of the report a vote of a majority of the members elected to each branch of Councils was requisite.

On which no ruling was made.

Mr. Shipton, from the Finance Committee, presented with an affirmative recommendation.

S. C. No. 339, series 1876. Resolved, That the City Controller shall be, and he is hereby authorized and directed to issue his certificate for a warrant in favor of John Parkinson for \$250. Also, one for B. McTierman for \$500. Also, one for E. Wormser for \$400, and charge the same to the contingent fund. Said sums of money being due said parties for damages by the grading of Sylvan avenue, and for the payment of which the Board of City Viewers reported that they were unable to find benefits.

Which was read.

And the rule having been suspended the resolution was read a third time and finally passed.

ALSO, from the same committee,

Affirmatively,

[33] Resolved, That the City Controller shall be, and he is hereby authorized to issue

a certificate for a warrant in favor of F. Eggers for the sum of \$29.63, and charge the same to the contingent fund. Said sum having been paid on account of an assessment made by mistake of the Commissioners for the improvement of Pearl street, in making the assessment of the cost of grading and paving Pearl street.

Which was read.

And the rule having been suspended the resolution was read a third time and passed.

Mr. Littell moved,

That Council proceed to the consideration of S. C. Bill No. 49, an ordinance entitled, "An ordinance amending an ordinance entitled an ordinance authorizing the opening of Mary street, from Twenty-seventh street to Thirty-second street, returned this day by the Mayor to Councils without his signature.

Which motion prevailed.

Whereupon Council, agreeably to law, proceeded to the reconsideration of the bill.

And on the question, Shall the bill pass, notwithstanding the objections of the Mayor?

The ayes and noes were ordered to be taken.

And were:

Ayes—Messrs. Ahl, Atkinson, Barclay, Baum, Boyd, Bruce, Dannals, Darlington, Hays, Herron, Hoeh, Kennedy, Kerr, Lagerman, Littell, Meyer, Moore (William), McClurg, McKinley, Negley, Nisbett, Noble, O'Donnell, Owens, Powers, Rodgers, Shipton, Taylor, Watson, Alken, President.

Noes—Messrs. Bradley, Brown (L. T.), Burns, Carr, Costillo, Foster (W. S.), Gourley, Gray, Holmes, Nantker, Nusser, O'Neil, Reiman, Sorg, Sterling, Weigand.

Before the announcement of the result, Messrs. **L. T. Brown, Carr, W. S. Foster, Gourley** and **Gray** asked and obtained leave to change their votes from "no" to "aye," and **Mr. Bruce** from "aye" to "no."

And the ayes were..... 34

And the noes were..... 12

So the question was decided in the negative.

Mr. Littell moved,

That Council proceed to the consideration of S. C. No. 237, an ordinance entitled, "A further supplement to the ordinance of February 7th, 1870, entitled an ordinance to provide for the safe keeping and custody of the funds of the city," returned to Council this day by the Mayor without his signature.

Which motion prevailed.

Whereupon Council, agreeably to law, proceeded to the reconsideration of the bill.

Mr. Littell moved,

To amend the bill by striking out Section 5. That the amounts in the several sinking funds of the city shall be deposited in the depositories to the credit of said sinking funds and kept separate and apart from the other funds of the city, that the said sinking funds when so deposited shall not be checked upon or drawn out, except by order of the Finance Committee, and then only for the purposes of the fund checked upon. That at the first meeting of Councils in September next and every month thereafter a report of the condition of said sinking funds in detail, showing the actual amounts of money or other credits in each of said funds shall be made monthly to Councils by said committee.

Mr. Powers rose to a point of order,

That this amendment would make the bill a new bill, and was therefore not in order.

The **President** ruled,

That on a bill accompanied with a veto message from the Mayor, the question necessarily arises, "Will Councils reconsider and pass the bill notwithstanding the veto?" and therefore Council has the right to amend by striking out any portion thereof and passing the same.

And the motion to amend prevailed.

And the bill was so amended.

And on the question, Shall the bill pass as amended?

The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Atkinson, Baum, Bradley, Brown (L. T.), Bruce, Carr, Costillo, Dannels, Darlington, Fox, Gourley, Grav, Hays, Herron, Hoeh, Kennedy, Kerr, Lagerman, Littell, Meyer, Moore (William), Moore (W. J.), McCandless, McClurg, McKinley, Nantker, Negley, Nisbett, Noble, Nusser, O'Donnell, O'Neil, Owens, Powers, Reiman, Shipton, Sterling, Taylor, Weigand, Watson, Welsh, Aiken, President.

Noes—Messrs. Barkley, Foster (W. S.), Holmes, Rodgers, Sorg.

Before the announcement of the result Messrs. **Barkley** and **Foster** asked and obtained leave to change their votes from "no" to "aye."

And the ayes were..... 45

And the noes were..... 2

So the bill as amended passed finally.

Mr. Shipton, from the Finance Committee, presented with an affirmative recommendation, the following:

[328] *Resolved*, That the Controller be directed to certify a warrant on the Treasury in favor of Ellen Thomas, for the sum of eighty dollars, in full for damages claimed by her on account of overflow on her property, and charge the same to the contingent fund.

Which was read.

Mr. Powers moved,

To refer the resolution to the City Attorney, with instructions to settle with the claimant.

Which motion prevailed.

Mr. Herron, from the Committee on Allegheny Wharf, presented,

Affirmatively as committed,

S. C. Bill No. 254. An ordinance entitled, "An ordinance providing a penalty for refusal to pay wharfage."

Which was read.

Mr. Herron moved,

To suspend the rule to allow the further consideration of the bill.

Which motion was decided in the negative.

Mr. Hoeh presented,

[329] A report from the Road Committee, covering an account of the expenditures in that department for the month of June, amounting to \$1,345.98.

Which was read and received.

Also, from the same committee,

Affirmatively as committed,

S. C. Bill No. 212. An ordinance authorizing the construction of a sewer on Henry, Craig, Washington, Neville and Boundary streets, from Dithridge street to a point on Boundary street.

Which was read.

Mr. Darlington moved,

To recommit the bill to the Committee on Roads, for a written opinion from the City Attorney as to the right of the city to construct a sewer over private property.

Which motion prevailed.

Mr. Gourley presented,

[330] A special report from the Street Committee, covering and recommending the passage of S. C. Bill No. 265. An ordinance authorizing the opening of Chestnut street.

Which was read and received.

Also,

S. C. Bill No. 265. An ordinance entitled, "An ordinance authorizing the opening of Chestnut street, from Wood street to Carson street."

Which was read.

Mr. Gourley moved,

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended the bill was read a second time and agreed to.

And the title was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Atkinson, Barkley, Baum, Bradley, Burns, Carr, Costillo, Dannels, Darlington, Foster (W. S.), Fox, Gourley, Hays, Kerr, Lagerman, Littell, Moore (W. J.), McCandless, McClurg, McKinley, Nantker, Negley, Nisbett, Nusser, O'Donnell, O'Neil, Owens, Reiman, Rodgers, Shipton, Sorg, Sterling, Taylor, Weigand, Watson, Welsh, Aiken, President.

Noes—Messrs. Gray, Meyer, Noble.

Before the announcement of the result Messrs. **Gray**, **Meyer** and **Noble** asked and obtained leave to change their votes from "no" to "aye."

And the ayes were..... 41

And the noes were..... 0

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Mr. Bradley, by leave, called up,

C. C. No. 217. Resolution for the refunding of overpaid wharfage.

Which was read.

And the rule having been suspended the resolution was read a second and third time and finally passed.

Mr. Darlington, by leave, called up,

S. C. Bill No. 273. An ordinance entitled, "An ordinance granting the Pittsburgh, Cincinnati and St. Louis Railroad Company the right to erect frame buildings for freight and passenger depots."

Which was read.

Mr. Darlington moved.

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended the bill was read a second time and agreed to.

And the title was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atkinson, Barkley, Baum, Bradley, Brown (L. T.), Burns, Carr, Costillo, Darlington, Foster (W. S.), Fox, Gourley, Gray, Hays, Herron, Hoeh, Littell, Meyer, Moore (W. J.), McCandless, McClurg, McKinley, Nantker, Negley, Nisbett, Noble, Nusser, O'Donnell, Owens, Rodgers, Shipton, Sorg, Sterling, Taylor, Watson, Welsh, Aiken, President—37.

Noes—Mr. Holmes—1.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

M. L. T. Brown, by leave, presented,
[331] Petition of John Holmes for payment for horse killed on Fifth avenue by defective grating.

Which was referred to the Street Committee.

Mr. Sorg,
[332] Petition of ——— for abatement of taxes, on the ground of poverty.

Which was referred to the Committee on Appeals.

Mr. Herron moved,
To reconsider the action had on S. C. Bill No. 212. An ordinance entitled, an ordinance authorizing the construction of a sewer on Henry, Craig, Washington, Neville and Boundary streets, from Dithridge to a point on Boundary street.

Which motion did not prevail.

Mr. Atkinson, by leave, called up,
S. C. Bill No. 84. An ordinance entitled, "An ordinance fixing the compensation to be paid the employees of the fire department."

Which in S. C. April 30, failed to pass for want of a legal majority.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes — Messrs. Ahl, Atkinson, Barckley, Baum, Bradley, Burns, Carr, Darlington, Fox, Gray, Hays, Herron, Holmes, Kerr, Littell, Moore (W. J.), McCandless, McClurg, McKinley, Nantker, Nisbett, Noble, Nusser, O'Donnell, O'Neil, Owens, Shipton, Sorg, Sterling, Watson, Aiken, President—31.

Noes—Messrs. Rodgers and Welsh—2.
And a majority of the votes of Select Council not being in the affirmative the bill did not pass finally.

And on motion Council adjourned.

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

VOL. 10. MONDAY, JULY 23, 1877. NO. 26.

Municipal Record.

SELECT COUNCIL.

DAVID AIKEN, JR.....PRESIDENT.
E. S. MORROW.....CLERK.

PITTSBURGH, July 23, 1877.

Council met by special call in Joint Session.

In the absence of Mr. Aiken, Mr. Thomson, President of Common Council *pro tempore*, presided.

The **Chairman** stated that the meeting had been called to make provision to meet the expense that might be incurred in the putting down of the present lawlessness existing in the city which had culminated in the destruction of the property of the Pennsylvania Railroad, and that of many private citizens.

Mr. **Littell** moved,

That the credit of the city be pledged for the purchase of rations for the maintenance of the citizen soldiery during the time it may be deemed necessary to keep them under arms.

Mr. **Foley** moved,

To amend by adding the words, "And the payment of any other necessary expense

that may be incurred in the present emergency."

Which motion prevailed.

And the motion was so amended, and as amended was decided in the affirmative.

Mr. **Littell** moved,

That the control of the armories so far as the city has control should be given to Major General James S. Negley, commanding the citizen soldiery.

Which motion was decided in the affirmative.

Mr. **McCandless** moved,

That the Mayor be requested to issue a proclamation directing the closing of all liquor saloons during the continuance of the present condition of affairs.

Mr. **Higgins** moved,

To amend by adding the words, "All liquor establishments."

Which motion prevailed.

And the motion was so amended, and as amended was decided in the affirmative.

Mr. **Littell** moved,

That the Mayor be requested to embody in his proclamation a request to citizens to abstain from congregating in crowds on the streets and other public places.

Which motion prevailed.

Mr. **Flannery** moved,

That the Clerk be directed to have one thousand police badges printed for the use of the emergency force.

Which motion prevailed.

And on motion, Council adjourned.

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

VOL. 10.

MONDAY, JULY 30, 1877.

NO. 27.

Municipal Record.

SELECT COUNCIL.

DAVID AIKEN, JR. PRESIDENT.
E. S. MORROW CLERK.

PITTSBURGH, July 30, 1877.

Council met.

Present—Messrs. Ahl, Atkinson, Barekley, Baum, Boyd, Bradley, Brown (L. T.), Bruce, Buckley, Burns, Carr, Chambers, Costillo, Dannels, Darlington, Duff, Evans, Flannery, Foster (W. S.), Fox, Fullerton, Garrison, Gourley, Gray, Hays, Herron, Hoeh, Holliday, Kelly, Kennedy, Kernan, Kerr, Lappan, Littell, Meyer, Miller, Moore (W. J.), MacConnell, McClurg, McKinley, Negley, Nisbett, Noble, Nusser, O'Donnell, Patterson, Reiman, Rodgers, Schild, Schwarm, Sorg, Taylor, Weigand, Watson, Welsh, Aiken, President.

Absent—Messrs. Brown (Samuel S.), Felker, Foster (Alex. W.), Holmes, Lagerman, Lambie, Moore (Wm.), McCandless, Nantker, O'Neil, Owens, Powers, Roife, Sawyer, Shipton, Sterling.

The minutes of the extraordinary session held July 23d, were read and approved.

And the action of the Joint session was approved.

Mr. Bruce moved,

To dispense with the further reading of the minutes.

Which motion prevailed.

The President presented,

[331] A communication from the Board of Fire Commissioners setting forth that from the insufficiency of funds they would be unable to make the extension of the fire alarm telegraph through the South Side Hill wards this year.

Which was read and accepted.

Mr. Welsh,

[332] Petition of David O'Conner for exoneration from payment of taxes in the Twelfth ward.

Which was referred to the Committee on Appeals.

Mr. Costillo,

[333] Petition for the erection of an iron clad stable in the Twelfth ward.

Which was referred to the Committee on Wooden Buildings.

Mr. Darlington,

[335] An ordinance granting James McKibben right to erect an iron clad building.

Which was referred to the Committee on Wooden Buildings.
The President,

[334]
To the Honorable the members of the Select and Common Councils of the City of Pittsburgh.

GENTLEMAN:—Having accepted the appointment of Collector of Delinquent Taxes, I respectfully tender my resignation of the office of City Assessor, to take effect this date.

Respectfully yours,

THOS. H. PHELPS.

Which was read and accepted.

And on motion of Mr. Littell the resignation of Mr. Phelps was accepted.

Mr. Littell,

[336] Resolved, That the City Controller be and he is hereby authorized and directed to issue his certificate on the Mayor for warrants in favor of Will. H. Sims for ten dollars, and C. W. Seanor for twenty-one dollars for services as pages of Councils, and charge the same to appropriation No. 13, Contingent Fund.

Which was read.

And the rule having been suspended the resolution was read a second and third time and agreed to, and was finally passed.

Mr. McClurg,

[337] Petition of Edward Hartney for the refunding of overpaid taxes.

Which was referred to the Board of Assessors.

Mr. Gourley,

[338] An ordinance prohibiting the slaughtering of animals in certain portions of the city, and providing for the infliction of a penalty therefor.

Which was referred to the Ordinance Committee.

Mr. Noble, from the Committee on Wooden Buildings, with an affirmative recommendation,

S. C. Bill No. 324. An ordinance granting Davis Chambers & Co. right to erect a frame shed.

Which was read.

And the rule having been suspended, the bill was read a second time and agreed to.

And the title was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Atkinson, Barekley, Baum, Boyd, Bradley, Brown (L. T.), Bruce, Burns, Carr, Chambers, Costillo, Dannels, Darlington, Duff, Flannery, Foster (W. S.), Fox, Fullerton, Garrison, Gourley, Gray, Hays, Hoeh, Holliday, Kelly, Kernan, Littell,

Miller, Moore (W. J.), MacConnell, McClurg, McKinley, Negley, Nisbett, Noble, Nusser, O'Donnell, Patterson, Reiman, Rodger, Schild, Sorg, Taylor, Weigand, Watson, Welsh, Aiken, President—49.

Noes—None.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Mr. **Littell** moved,

That the Clerk be directed to inform Common Council that this Council was now ready to meet them in joint session for the purpose of electing a City Assessor for the unexpired term of Thos. H. Phelps resigned.

Mr. **MacConnell** moved, as an amendment,

That the election of a City Assessor be postponed until the first meeting in September next.

Mr. **Littell** rose to a point of order,

That the amendment was not germane to the original motion and therefore not in order.

The **President** ruled,

That the original motion fixes to-day as the time for an election, and the amendment postpones the day, and therefore was in order.

And on the motion to amend a division was had, and there were twenty-two ayes and twenty-four noes.

So the amendment did not prevail.

And the original question was decided in the affirmative.

Mr. **Littell** presented,

[339] A report from the Committee on Gas Lighting covering a statement of the expenditures for the past month.

Which was read and accepted.

Mr. **Barckley**,

[340] A report from the Committee on City Property covering a statement of the expenditures for the past month.

Which was read and accepted.

Mr. **Schwarm**,

[341] A report from the Market Committee covering a statement of the receipts and expenditures for the past month.

Which was read and accepted.

S. C. Bill No. 48. An ordinance entitled "an ordinance locating Evaline street."

In C. C., April 9, passed finally.

Which was read.

And the rule having been suspended, the bill was read a second time and agreed to.

And the title of the bill was read and agreed to.

And the bill was read a third time and agreed to.

The Clerk of Common Council having been introduced, stated that that body was now ready to meet Select Council in Joint Session, for the purpose of electing a City Assessor for the unexpired term of Thos. H. Phelps resigned.

And Select Council proceeded to the Common Council chamber for that purpose.

And being so met in

JOINT SESSION,

Mr. **Evans** moved,

That the Joint Session adjourn to meet on the second Monday of September.

On which motion the ayes and noes were demanded by Mr. **Hays**.

And the demand being sustained, were ordered to be taken, and were:

Ayes—Messrs. Atkinson, Barckley, Brad-

ley, Costillo, Dannals, Duff, Evans, Foster (W. S.), Fox, Gourley, Gray, Hays, Hoeh, Holliday, Kennedy, Kerr, MacConnell, McClurg, McKinley, Nusser, O'Donnell, Reiman, Rodgers, Schild, Sorg, Watson.

Noes—Messrs. Ahl, Baum, Boyd, Brown (L. T.), Bruce, Burns, Carr, Chambers, Darlington, Flannery, Fullerton, Garrison, Kelly, Kernan, Lappan, Littell, Meyer, Miller, Moore (W. J.), Negley, Nisbett, Noble, Patterson, Schwarm, Taylor, Weigand, Welsh, Aiken, President.

And the ayes were 40.

And the noes were 42.

So the motion did not prevail.

And Councils proceeded to said election.

Mr. **Darlington** nominated C. B. Seely.

Mr. **MacConnell** nominated E. C. Negley.

Mr. **McKinley** nominated E. F. Pearson.

And the result of the voting was as follows:

For C. B. Seely—Messrs. Ahl, Barckley, Baum, Boyd, Brown (L. T.), Bruce, Buckley, Burns, Carr, Chambers, Costillo, Darlington, Flannery, Foster (W. S.), Fullerton, Garrison, Gourley, Herron, Holliday, Kelly, Kernan, Lappan, Littell, Meyer, Miller, Moore (W. J.), McClurg, McKinley, Negley, Nisbett, Noble, Nusser, Patterson, Rodgers, Schwarm, Taylor, Weigand, Watson, Welsh, Aiken, President.

For E. C. Negley—Messrs. Atkinson, Dannals, Gray, Hoeh, Kennedy.

For E. F. Pearson—Messrs. Bradley, Schild. Before the announcement of the result, Messrs. Blume and Galisath asked and obtained leave to change their vote from Pearson to Seely.

Mr. Grey asked and obtained leave to change his vote from Negley to Seely.

And the result of the voting was as follows:

C. B. Seely had sixty votes.

E. C. Negley had seven votes.

E. F. Pearson had three votes.

And C. B. Seely was declared duly elected City Assessor for the unexpired term of Thos. H. Phelps resigned.

And the business of the Joint Session being over, Select Council returned to its own chamber.

Mr. **Littell** moved,

That when this Council adjourn, it adjourn until the second Monday in September.

Which motion prevailed.

Mr. **Littell** moved,

That Council now adjourn.

Which motion prevailed.

COMMON COUNCIL.

W. W. THOMSON.....PRESIDENT *Pro Tem*.
GEORGE BOOTH.....CLERK.

MONDAY, July 30, 1877.

Council met pursuant to the following call:

To George Booth, Esq., Clerk of Common Council:

SIR—You will call a special meeting of the Common Council for Monday, July 30th, 1877, at two o'clock p. m., to consider Bill No. 51 S. C., entitled "A further supplement to the ordinance of February 7th, 1870, entitled an ordinance to provide for the safe keeping and custody of the funds of the city," and such other business as may be lawfully brought before it.

W. W. THOMSON,
President *Pro Tem*.

PITTSBURGH, July 26th, 1877.

Which was read.

Present—Messrs. Bigham, Blume, Dierst, Egan, Forsythe, French, Fennerty, Gallisath, Gallagher, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kohne, Manning, McClarran (R. M.), McClarran (Newton), McCafferty, McKinley, Nantker, O'Donnell, Rea, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Young.

Absent—Messrs. Aull, Belfore, Frauenheim, Fogle, Hogler, Kirchner, Pier, Rahausen, Schuman, Schwarm, Weisser.

Mr. Fennerty moved,

That the reading of the minutes of the meeting of June 25th be dispensed with.

Which prevailed.

The minutes of the joint meeting of July 23d, 1877, were read.

Mr. Johnston moved,

That they be approved and the action had therein ratified.

Which prevailed.

The Clerk of Select Council having been introduced presented the following papers for concurrence:

327. A report from the Water Committee announcing that they had appointed M. L. Malone as Inspector and Superintendent of the construction of the new water works buildings at the foundation.

In S. C. approved.

328. Report from the Water Committee covering a statement of the expenditures for the month of June.

329. Report from the Committee on Roads covering a statement of the expenditures for the month of June.

Which were read and accepted.

318. Message from the Mayor covering and returning to Councils, without his signature, S. C. Bill No. 237, a supplement to an ordinance to provide for the safe keeping and custody of the funds of the city.

Which was read and accepted.

317. A message from Hon. W. C. McCarthy, Mayor, returning to Councils, without his signature, an ordinance amending an ordinance for the opening of Mary street.

Which was read and accepted.

325. A resolution authorizing the refunding of overpaid taxes.

Which was read a third time and finally passed.

339, 1876. Resolution for the payment of damages by the grading of Sylvan avenue.

33. Resolution for the refunding of certain money to F. Eggers.

Which were severally read a third time and finally passed.

Council proceeded to the consideration of S. C. No. 237. An ordinance entitled "A further supplement to the ordinance of February 7th, 1870, entitled an ordinance to provide for the safe keeping and custody of the funds of the city."

In S. C. July 9th, returned by the Mayor without his approval same day. S. C. amend the bill by striking out Section 5, and as amended passed finally.

Which was read.

Mr. Wainwright moved,

That the rule be suspended to allow the consideration, third reading and final passage of the bill.

Which prevailed.

And the bill was read a second time.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Blume, Dierst, Egan, Forsythe, French, Fennerty, Gallagher, Higgins, Hanlon, Johnston, Kinzer, Kemler, Kohne, Manning, McClarran (R. M.), McClarran (Newton), McCafferty, McKinley, Nantker, O'Donnell, Rea, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Young—27.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

The Clerk of S. C. being introduced reported the following papers for concurrence:

No. 334 S. C. Resignation of Thomas H. Phelps, City Assessor.

In S. C. read and accepted.

No. 336 S. C. Resolution for warrants in favor of Will. H. Sims and C. W. Seanor for services as Pages of Councils.

In S. C. passed.

Mr. Higgins, by leave, presented the following:

237.

OFFICE OF THE
BOARD OF FIRE COMMISSIONERS,
PITTSBURGH, July 30, 1877.

To the Presidents and Members of Select and Common Councils:

GENTLEMEN—Your petitioners, the Board of Fire Commissioners, who have under their control and direction the department organized to extinguish fires within the city limits, respectfully represent that, on or before January 1st, 1877, as required by law, they duly presented to the Board of Estimate a carefully prepared statement, in as full detail as possible, of the probable expenses of the department for the (then) ensuing fiscal year, the amount being \$145,000. This estimate was made by this Board with a full knowledge of the straightened financial condition of the city. With a full appreciation of the wants and necessities of this important branch of public service, the Board did not, however, feel justified in asking less. The Board of Estimate, after consideration, allowed \$140,000, and in this amount this Board acquiesced. This amount could not, we believe, under the law, be altered, but Councils in their wisdom thought fit to reduce the amount \$17,150, and, having done our duty in the matter, we accepted the situation without protest. The reduction of the appropriation compelled the reducing of the force, al-

though we are satisfied that all citizens will agree with us that 116 of a working force of firemen is not too great for this city.

This Board, in June last, finding it inevitable, reduced the force by dropping twenty-two men, so that as far as in their power the law might be complied with and the expenditures of the year kept within the appropriation allowed. We have no wish to recite the events of the past week. Every one is familiar with them, and we submit to your honorable body whether or not we were justified in our estimate. The firemen were on duty continuously at the fire occasioned by the riots fully thirty-six hours, without rest, while for twenty-four hours thereafter they were subject to several calls and have, as all know, been kept on the alert ever since. In view of these facts we ask that Council make some arrangement by which the depleted companies of this department may be filled up. We have been put to unexpected expense by the late troubles, having had five horses disabled, while, owing to the worst condition of the men, we have employed substitutes and members recently dropped from the department to throw water day and night upon the ruins. For these reasons we are now likely to run short in our appropriation. Even as the matter stands and while the companies of the department are too weak for proper work if at all possible some arrangement should be made by which about \$15,000 additional may be placed at our credit for the current year. Respectfully submitted by order of the Board.

ALEX. PITCAIRN,
President.

Which was read and received.

Mr. Higgins moved,

That Council now take up the regular order of business.

Which prevailed.

Mr. Wamhoff presented,

238. Petition of G. W. H. Davis & Co. for privilege to erect an iron-clad building.

Which was referred to the Committee on Wooden Buildings.

Also,

239. An ordinance entitled "An ordinance granting G. W. H. Davis & Co. privilege to erect an iron-clad building."

Which was referred to the Committee on Wooden Buildings.

Mr. Kinzer presented,

240. Petition of J. F. Sichelstiel for payment of damages caused by overflow of water at Soho.

Which was referred to the Committee on Finance.

Also,

241. Petition of F. Haas for payment of damages caused by overflow of water at Soho.

Which was referred to the Committee on Finance.

Mr. French presented,

242. Report of the Viewers of Street Improvement on the benefits and damages caused by the grading of Lincoln avenue, from Frankstown avenue to the city line.

Which was approved.

Mr. Wainwright presented,

243. Report from the Committee on Police covering a statement of their expenditures for the months of June and part of July, amounting to \$18,719.20.

And announcing that they had authorized the Mayor to employ and call into service such number of special policemen as he

might deem proper in the emergency to quell the riots of July 21st and 22d.

Which was read, received and the action of the Police Committee approved.

Mr. Higgins presented, from the Committee on Retrenchment and Reform, affirmatively recommended,

No. 83 S. C. An ordinance entitled "An ordinance fixing the salaries of certain city officers."

Which was read.

Mr. Higgins moved,

That the rule be suspended to allow the consideration, third reading and final passage of the bill.

Which prevailed.

And the bill was read a second time.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Bigham, Blume, Dierst, Forsythe, French, Fennerty, Gallisath, Gallagher, Higgins, Hanlon, Johnston, Kemler, Kohne, Manning, McClarran (R. M.), McClarran (Newton), McCafferty, Nantker, Rea, Thomson, Voskamp, Wainwright, Walker, Wamhoff—24.

Noes—Messrs. Egan, Kinzer, McKinley, O'Donnell, Young—5.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

The Clerk of Select Council being introduced announced that Select Council were now ready to meet with Common Council in Joint Session, for the purpose of electing one person to serve as City Assessor, in place of Thomas H. Phelps, resigned.

Thomas H. Phelps, resigned.

Mr. Wainwright moved,

That Common Council do now meet with Select Council in Joint Session, for the purpose of electing one person to serve as City Assessor, in place of Thomas H. Phelps, resigned.

Which on a division being had, prevailed, by a vote of ayes 15, noes 8.

And the Clerk was directed to notify Select Council that Common Council were now ready to meet that body in Joint Session for that purpose.

Which was done.

And Select Council were introduced.

JOINT SESSION PROCEEDINGS.

And being so met in Joint Session,

Mr. Evans moved,

That the Joint Session adjourn to meet on the second Monday of September.

On which motion the ayes and noes were demanded by Mr. Hays.

And the demand being sustained, were ordered to be taken, and were:

Ayes—Messrs. Fennerty, Gallisath, Kinzer, Kemler, McClarran (R. M.), McClarran (Newton), McCafferty, Nantker, O'Donnell, Rea, Voskamp, Walker, Wamhoff, Young—14.

Noes—Messrs. Bigham, Blume, Dierst, Egan, Forsythe, French, Gallagher, Higgins, Johnston, Kohne, Manning, McKinley, Thomson, Wainwright—14.

And the ayes were.....40

And the noes were.....42

So the motion did not prevail.

And Council proceeded to said election.

And Mr. Darlington nominated C. B. Seely.

Mr. MacConnell nominated E. C. Negley.

Mr. **Robert McKinley** nominated E. F. Pearson.

And the result of the voting was as follows:
For C. B. Seely—Messrs. Bigham, Dierst, Egan, Forsythe, French, Johnston, Kemler, Kohne, Manning, McClarran (Newton), McCafferty, Nantker, Rea, Thomson, Voskamp, Wainwright, Wamhoff.

For E. C. Negley—Messrs. O'Donnell, Walker, Young.

For E. F. Pearson—Messrs. Blume, Gallisath, McKinley.

Before the announcement of the result of the voting, Messrs. **Bigham** and **Gallisath** asked and obtained leave to change their votes from Pearson to Seely.

Mr. **Gray** asked and obtained leave to change his vote from Negley to Seely.

And the result of the voting was as follows:

C. B. Seely had..... 60 votes.

E. C. Negley had..... 7 votes.

E. F. Pearson had..... 3 votes.

And C. B. Seely was declared duly elected City Assessor for the unexpired term of Thomas H. Phelps, resigned.

And the business of the Joint Session being over Select Council returned to its own chamber.

Mr. **Higgins** moved,

To suspend the rule to allow the taking up and consideration of

237 C. C. A communication from the Board of Fire Commissioners asking Councils to provide money to place the Fire Department on an effective footing.

Which, on a division being had, there were: Ayes, 10; noes, 7. Not being a three-fourths vote, the motion did not prevail.

Mr. **Nantker** presented,

244. A report from the Committee on City Printing, covering a statement of their expenditures for July, amounting to \$850.16.

Which was read and received.

BUSINESS FROM SELECT COUNCIL.

336 S. C. Resolution for warrants in favor of Will H. Sims and Charles W. Seanor, for services as Pages of Councils.

In S. C. July 30, passed.

Which was read.

And the rule having been suspended, the bill was read a second and third time and finally passed.

S. C. No. 325. Resolution refunding certain taxes.

In S. C. July 9th, passed finally.

Which, the rule having been suspended, was read three times and finally passed.

S. C. No. 327. Report from the Committee on Water, announcing the appointment of M. L. Malone as Superintendent and Inspector of construction of engine and boiler houses of new water works.

In S. C. July 9th, read and approved.

In which action C. C. concurred.

S. C. No. 334. Resolution for warrants in favor John Parkinson, B. McTiernan and E. Wormser, for payment of damages caused by the grading of Sylvan avenue.

In S. C. July 9th, passed.

Which was read.

Pending the consideration of the resolution, Mr. **Fennerty** demanded a call of the house, to ascertain if there was a quorum of the members present.

And the demand being sustained, the roll was ordered to be called, and there was present:

Messrs. Bigham, Dierst, Egan, Forsythe, French, Fennerty, Higgins, Johnston, Kemler, Kohne, Manning, McClarran (Newton), McCafferty, Nantker, O'Donnell, Thomson, Voskamp, Wainwright, Walker, Wamhoff—20.

And there not being a quorum of the members present, Council was declared adjourned.

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

VOL. 10. MONDAY, AUGUST 13, 1877. NO. 28.

Municipal Record.

COMMON COUNCIL.

W. W. THOMSON.....PRESIDENT *Pro Tem*.
GEORGE BOOTH.....CLERK.

MONDAY, August 13, 1877.

Council met pursuant to the following call:

To George Booth, Esq., Clerk of Common Council:

SIR—In compliance with the following resolution, passed by the Street Committee August 9, 1877, you will please call a meeting of Common Council for Monday, August 13, 1877, at 2 o'clock, P. M., for the purpose therein named.

Resolved, That the President of Common Council be requested to call a special meeting of that body for Monday, August 13, 1877, to consider the bill for proposed changes in the contract between the City and the Pennsylvania Railroad for the building of sundry bridges and the vacation of Grant and Washington streets, etc."

Respectfully Yours,

W. W. THOMSON,

Pro tem, Pres't, Common Council.

PITTSBURGH, August 11, 1877.

Present—Messrs. Blume, Dierst, Egan, French, Fennerty, Foley, Gallisath, Hanlon, Johnston, Kinzer, Kemler, Kohne, Manning, McClarran (Newton), McCafferty, McKinley, Nantker, O'Donnell, Rahauser, Rea, Schumann, Schwarm, Thomson, Voskamp, Wainwright.

Absent—Messrs. Aull, Belfore, Bigham, Forsythe, Frauenheim, Gallagher, Higgins, Hogle, Kirchner, McClarran (R. M.), Pier, Walker, Wambhoff, Welser, Young.

Mr. Fennerty moved,

That the reading of the minutes of the previous meeting be dispensed with.

Which prevailed.

Mr. N. McClarran presented,

No. 245. Entitled, "An Ordinance authorizing certain changes to be made in the contract between the City of Pittsburgh and the Pennsylvania Railroad Company, dated December 24, 1872."

Which was referred to the Committee on Streets.

Mr. N. McClarran moved,
To suspend the rules to allow the taking up of the regular order of business.

Which prevailed.

Mr. Schuman presented,

246. Petition of citizens of the Twelfth ward for the completion of the bridge over the Pennsylvania Railroad on line of Twenty-eighth street.

Which was referred to the Committee on Streets.

Mr. Wainwright presented,

247. Entitled "An Ordinance granting to the Pittsburgh and Birmingham Passenger Railway Company the right to extend their tracks from Seventh avenue along Smithfield street to Liberty street, thence along Liberty street to the Union Depot.

Which was referred to the Committee on Streets.

Mr. Dierst presented the following:

248. WHEREAS, many citizens have notified members of the Fire Commission and Councils that, in their opinion, the recent reduction of the Fire Department was detrimental to the interests of the city, and that recent events have demonstrated that said reduction was not only unwise but costly, and

WHEREAS it is judicious and proper that all citizens—rich and poor—should be protected against the ravages of fire: therefore be it

Resolved by Select and Common Councils of the City of Pittsburgh, that the Fire Commission be, and they are hereby requested to forthwith reinstate all the discharged members of said department.

Resolved, That if it be impossible under existing laws to provide for the payment of such increase, the Fire Commission be requested to furlough two members of each company per month, with the understanding and agreement that the members absent on furlough shall respond to all alarms (after the first) and serve as members (which they would be) of the Fire Department.

Resolved, That the Chairman of Select Council be requested by our Clerk to call a special meeting of that body to concur in our action.

Which was read.

Mr. Foley moved,

That further action be postponed until the resolution came up in its regular order.

Which prevailed.

Mr. Foley moved,

That Council do now take a recess for fifteen minutes to allow the Water Committee to meet for the purpose of considering and approving the bond of the contractors for

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

VOL. 10. MONDAY, SEPTEMBER 10, 1877. NO. 29.

Municipal Record.

SELECT COUNCIL.

DAVID AIKEN, JR. PRESIDENT.
E. S. MORROW CLERK.

PITTSBURGH, September 10, 1877.

Council met.

Present—Messrs. Ahl, Atkinson, Barclay, Baum, Bradley, Brown (L. T.), Bruce, Buckley, Burns, Costilio, Dannals, Duff, Evans, Flannery, Fox, Fullerton, Gourley, Gray, Hays, Herron, Hoeh, Holliday, Holmes, Kerr, Lagerman, Lambie, Littell, Meyer, Miller, Moore (Wm.), McCandless, MacConnell, McClurg, McKinley, Nantker, Negley, Nisbett, Noble, Nusser, O'Donnell, O'Neil, Owens, Powers, Reiman, Rodgers, Rolfe, Schwarm, Shipton, Sorg, Sterling, Taylor, Weigand, Watson, Welsh, Aiken, President.

Absent—Messrs. Boyd, Brown (Samuel S.), Carr, Chambers, Darlington, Felker, Foster (Alex. W.), Foster (W. S.), Garrison, Kelly, Kennedy, Kernan, Lappan, Moore (W. J.), Patterson, Sawyer, Schild.

The minutes of June 25th were read and approved.

Mr. Littell moved,

To postpone the further reading of the minutes.

Which motion prevailed.

Mr. Gourley.

[342] A petition asking for the rebuilding of the bridge over the P. C. & St. L. R. R. on Washington street.

Which was referred to the Street Committee.

Mr. Barclay.

[343] Petition for the opening of Arch, from Cassatt to Ledlie streets.

Which was referred to the Street Committee.

Also,

[344] Petition for the erection of a public gas lamp, on the corner of Enoch and Granville streets.

Which was referred to the Committee on Gas Lighting.

Mr. Powers.

[345] A petition for a sewer on Breerton avenue, from Harrison to Juniata streets.

Which was referred to the Road Committee.

Mr. Sterling.

[346] Petition for water pipes on Brewery alley, Sixth Ward.

Which was referred to the Water Committee.

Mr. Fullerton.

[347] Petition for water pipe on Canton street, from Second avenue to Commerce street.

Which was referred to the Water Committee.

Mr. O'Donnell

Announced the death of his colleague from the Fifteenth Ward, Jno. H. Sawyer, Esq., who died July 10, 1877.

Mr. Taylor.

[348] A petition for a gas lamp on Rebecca street, between Liberty avenue and Penn avenue.

Which was referred to the Committee on Gas Lighting.

The President.

[349] A petition for the erection of four public gas lamps on Walnut street, between Hiland avenue and Shady Lane.

Which was referred to the Committee on Gas Lighting.

Mr. McClurg.

[350] Petition of Joseph Kapp for exoneration from payment of over-assessed taxes.

Which was referred to Board of Assessors.

Also,

[351] A petition for gas lamps on Carson street, between Thirtieth street and the eastern terminus of Carson street.

Which was referred to the Committee on Gas Lighting.

Mr. Duff.

[352] Petition of Jodock Bechtold for improving condition of the street and wharf at the foot of Sixteenth street, South Side.

Which was referred to the Committee on Monongahela Wharf.

Mr. Nisbet.

[353] Resolved, That the Commissioner of the Seventh street district be and is hereby instructed to repair Bailey avenue and macadamize the same from Gray's road to Beltzhoover avenue.

Which was referred to the Street Committee.

Mr. Noble.

[354] Petition of Mrs. Ann Stewart for exoneration from payment of taxes.

Which was referred to Committee on Appeals.

Also,

[355] A petition for the drainage of Herman alley, Thirty-second ward.

Which was referred to the Street Committee.

Also,

[356] WHEREAS, All proceedings in relation to Grandview avenue have been set aside by decree of the Court of Quarter Ses-

sions entered at No. 11, December Term, 1875, and

WHEREAS, It is absolutely necessary for the convenience of the residents of the Thirty-second and Thirty-fifth Wards that said avenue should be opened from the Monongahela Inclined Plane to the Duquesne Inclined Plane, and

WHEREAS, Owing to the bad condition of the road between these points several accidents have occurred for which the City was liable in damages—judgments having been already recovered against the City for over \$3,000.00, while other claims are now pending—Therefore be it

Resolved, That the City Engineer is hereby instructed to report an ordinance locating Grandview avenue at a width of fifty feet from Washington street, Thirty-second Ward, to Pine street, Thirty-fifth Ward, on the same route now occupied by the water main, viz: Following the lines of the former location of Grandview avenue, from Washington street to Union street, and the old line of High street, from Bigham street to Pine street, and making such location between Bigham and Union streets, as the Engineer shall deem best, keeping the water main within the curb lines of such location.

Which was referred to the Street Committee.

Mr. Rodgers,

[357] Petition for an exoneration from the payment of taxes.

Which was referred to the Committee on Appeals.

Mr. McCandless,

[358] A report from the Water Committee covering statement of expenditures (\$4,739.92) for the month of August.

Which was read and accepted.

ALSO,

[359] A report from the Water Committee announcing the award of contracts, to wit: Digging trenches and trestle work for rising main, to Jacob H. Deewes; coal siding to Mears & Pillow; constructing culverts, to Jno. A. Hoffman.

Which was read and approved.

Mr. Barkley,

[360] Report from Committee on City Property covering statement of expenditures (\$109.67) for August.

Which was read and accepted.

Mr. Schwarm,

[361] Report from the Committee on Markets covering statements of the expenditures (\$633.01) and receipts (\$4,477.02) for August.

Which was read and accepted.

Mr. Shipton, from the Committee on Gas Lighting affirmatively.

[362] *Resolved*, That the South Side Gas Company be and is hereby directed to erect public gas lamps at the following points:

One, corner of Bigham and Seventh streets.

One, corner of Bigham and Eighth streets.

Which was read, and the rule having been suspended, was read a second and third time and agreed to, and finally passed.

ALSO, from the same Committee affirmatively,

[363] *Resolved*, That the Pittsburgh Gas Company be and is hereby authorized and directed to erect public gas lamps at the following points:

One on Second avenue, near Birmingham Bridge;

One, south west corner of Thirty-first and Railroad streets;

One, corner Bluff and Pride streets;

One on west side of Seventh avenue, at intersection with Liberty street.

Which was read, and the rule having been suspended, was read a second and third time and agreed to, and finally passed.

ALSO, from the same Committee affirmatively,

[364] *Resolved*, That the East End Gas Company be and is hereby directed to remove the public lamp from the end of East End main to a point 150 feet west of the corner of Reed street and Centre avenue.

Which was read, and the rule having been suspended, was read a second and third time and agreed to, and finally passed.

Mr. Herron,

[365] Report of Committee on Allegheny Wharf covering statement of expenditures (\$61.67) and receipts (\$201.75) for the month of August.

Which was read and accepted.

Mr. Kerr, from the Ordinance Committee, affirmatively as committed.

S. C. Bill No. 338. An ordinance entitled "An ordinance prohibiting the slaughtering of animals in certain portions of the city and providing for the infliction of a penalty therefor.

Which was read.

Mr. Kerr moved,

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended, the bill was read a second time and agreed to.

And the title was read and agreed to.

The bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Barkley, Brown (L. T.), Dannels, Evans, Fox, Fullerton, Gourley, Gray, Herron, Holliday, Kerr, Lagerman, Littell, Meyer, Moore (Wm.), McCandless, MacConnell, McClurg, McKinley, Nantker, Negley, Nisbett, Noble, O'Donnell, Reiman, Rolfe, Schwarm, Shipton, Sterling, Taylor, Aiken, President—32.

Noes—Messrs. Atkinson, Baum, Bradley, Bruce, Buckley, Burns, Costillo, Duff, Flannery, Hays, Hoeh, Holmes, Miller, Nusser, O'Neil, Powers, Rodgers, Weigand, Watson, Welsh—20.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass finally.

Mr. Powers moved,

To recommit the bill to the Ordinance Committee.

Which motion prevailed.

Mr. MacConnell,

[367] A report from the Road Committee covering a statement of expenditures (\$1,605.13).

Which was read and accepted.

The President,

[368] The resignation of P. M. Carr, Esq., as a member of Select Council from the Twenty-seventh Ward.

Which was read and accepted.

Mr. O'Donnell, by leave,

[369] *Resolved*, That the Mayor be and is hereby instructed to issue his proclamation ordering a special election in the Fifteenth

ward to fill the vacancy in Select Council caused by the death of John H. Sawyer.

Which was read and passed.

Mr. O'Neil, by leave,

[370] Resolved, That the Street Commissioner of the Second District be directed to have the bridge crossing the Pittsburgh, Cincinnati and St. Louis Railroad on Washington street rebuilt immediately.

Which was read.

Mr. Holliday moved,

To refer to the Street Committee.

On which motion a division was had, and there were twenty-seven ayes and eighteen noes.

So the motion prevailed, and the resolution was so referred.

The Clerk of Common Council being introduced reported the following business for concurrence:

259, C. C. Resolution exonerating Mrs. Stokley from payment of taxes in the Twenty-first ward.

In C. C. passed.

No. 249, C. C. Report of the Committee on Streets for the month of July.

In C. C., August 13, read and received.

No. 244, C. C. Report of the Committee on Printing for the month of July.

In C. C., July 30, read and received.

No. 243, C. C. Report of the Committee on Police for the month of July.

In C. C., July 30, read, received and approved.

No. 237, C. C. A communication from the Board of Fire Commissioners asking for an additional appropriation for payment of extraordinary expenses incurred on account of the recent riot.

In C. C., July 30, read and received.

No. 272, S. C. Entitled "An ordinance granting to the P. C. & St. Louis R. R. Co. the right to erect and maintain a freight depot building on the southern sidewalk of Carson street, Thirty-fourth ward.

In C. C., August 13, passed finally.

No. 83, S. C. Entitled "An ordinance fixing the salaries of certain city officers."

In C. C., July 30, passed finally.

No. 242, C. C. Report of the Board of Viewers of Street Improvements on the damages caused by the grading of Lincoln avenue, from Frankstown avenue to the city line.

In C. C., July 30, approved.

Also, announced that Common Council had concurred in the action of Select Council on the following papers:

336, S. C. Resolution for warrants in favor of W. H. Sims and C. W. Seanor, for services as Pages to Councils.

325, S. C. Resolution refunding certain taxes.

327, S. C. Report from the Committee on Water announcing the appointment of M. L. Malone as Superintendent and Inspector of construction of engine and boiler houses of the new water works.

BUSINESS FROM COMMON COUNCIL.

The following business from Common Council was taken up:

C. C., No. 195. Preliminary report of the Viewers of Street Improvements on the grading, paving and curbing of Thirty-fourth street, from Butler street to Smallman street.

Which was read and accepted.

C. C., No. 229. Report of the Board of Viewers of Street Improvements on the dam-

ages caused by the grading of Ridge street, from Thirty-third street to Roup street.

Which was read.

Mr. Herron moved,

To recommit to the Board of Viewers for amendment.

Which was negatived.

Mr. Buckley moved,

To approve.

Which motion prevailed.

C. C., No. 242. Report of the Board of Viewers of Street Improvements on the damages caused by the grading of Lincoln avenue, from Frankstown avenue to the city line.

Which was approved.

Mr. Ahl, by leave, called up,

S. C. Bill, No. 96. An ordinance entitled "An ordinance authorizing the construction of a boardwalk on Cassatt and Crescent streets, from Cliff street to stairway near line of Seventeenth street produced."

Which was read.

Mr. Ahl moved,

That the rule be suspended to allow the third reading and final passage of the bill. Which motion prevailed.

And the rule having been suspended,

The bill was read a second time and agreed to.

And the title of the bill was read and agreed to.

Mr. Ahl moved,

The third reading of the bill.

Which motion prevailed.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Atkinson, Barekley, Baum, Bradley, Brown (L. T.), Bruce, Buckley, Burns, Costillo, Dannals, Duff, Flannery, Fox, Fullerton, Gourley, Gray, Hays, Herron, Hoeh, Holliday, Holmes, Lagerman, Littell, Meyer, Miller, Moore (William), McCandless, MacConnell, McClurg, McKinley, Nantker, Nisbett, Noble, Nusser, O'Donnell, O'Neil, Powers, Reiman, Rolfe, Schwarm, Shipton, Sterling, Taylor, Weigand, Watson, Welsh, Aiken, President—49.

Noes—None.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Mr. Taylor, by leave, called up,

C. C. Bill, No. 152. An ordinance entitled "An ordinance authorizing the grading, paving and curbing of Smallman street, from Thirty sixth street to Thirty-seventh street."

Which was read.

Mr. Taylor moved,

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended the bill was read a second time and agreed to.

And the title of the bill was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Atkinson, Barekley, Baum, Bradley, Brown (L. T.), Bruce, Buckley, Burns, Costillo, Evans, Flannery, Fox, Gourley, Gray, Hays, Herron, Hoeh, Holmes, Lagerman, Littell, Miller, Moore (William),

McCandless, MacConnell, McClurg, McKinley, Nantker, Negley, Nisbett, Nusser, O'Donnell, O'Neil, Powers, Reiman, Rolfe, Schwarm, Shipton, Sorg, Sterling, Taylor, Watson, Aiken, President—43.

Noes—None.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Mr. Evans presented,

[371] Resolved, That the Chairman of Councils appoint a joint committee of five members, to investigate the acts of the Forbes Street Commission, from Soho to Shady Lane, and that the City Engineer be instructed not to take the street off their hands pending this investigation.

Which was read,

Mr. Powers moved,

To amend by adding the words "And Soho Street Commission from Fifth avenue to Center avenue.

Which motion prevailed and the resolution was so amended and as amended was passed. And Messrs. Evans and Powers were appointed on part of Select Council.

Mr. Watson by leave presented,

[372] Resolved, That the Gas Committee be and they are hereby directed to put up a gas lamp at the corner of John street and Woolslayers alley, Sixteenth ward.

Which was referred to the Committee on Gas Lighting.

C. C. No. 231. Resolution for the refunding of overpaid taxes.

Which was read, and the rule having been suspended was read a second and third time, and agreed to, and finally passed.

C. C. No. 232. Resolution authorizing the exoneration of certain taxes.

Which was read and the rule having been suspended was read a second and third time, and agreed to, and finally passed.

C. C. 123. Resolution directing the City Engineer, to report on the condition of Main street.

Which was read and passed.

Mr. Littell, by leave, called up,

S. C. Bill, No. 286. An ordinance entitled "An ordinance authorizing a temporary loan for the payment of interest on bonds issued for the improvement of avenues and streets, under the provisions of the Penn Avenue Act.

In S. C. June 27th, amended and as amended read a second time and agreed to.

And moved,

That the bill be read a third time.

Which motion prevailed.

And the bill was read a third time and agreed to.

And on the question "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Atkinson, Baum, Bradley, Brown (L. T.), Bruce, Buckley, Burns, Dannels, Duff, Evans, Flannery, Fox, Gourley, Gray, Lambie, Herron, Hoeh, Holmes, Lagerman, Lambie, Littell, Meyer, Moore (Wm.), McCandless, McConnell, McClurg, McKinley, Nantker, Negley, Nisbett, O'Donnell, O'Neil, Powers, Reiman, Rolfe, Schwarm, Sterling, Taylor, Watson, Welsh, Aiken, President—41.

Noes—Messrs. Barclay, Miller, Nusser, Rodgers, Weigand—5.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Ordered, that the clerk message the same to Common Council for concurrence.

Mr. O'Donnell by leave, called up, S. C. Bill No. 83. An ordinance entitled "An ordinance fixing the salaries of certain city officers."

Which was read.

Mr. O'Donnell moved,

That the rule be suspended for the further consideration of the bill.

Which motion prevailed.

And the rule having been suspended the bill was read a second time.

Mr. Hays moved,

To amend the bill by fixing the salaries of the First and Second District Street Commissioners at \$900.00 in place of \$1,200.00.

Which motion prevailed.

And the bill was so amended.

Mr. Hays moved,

To amend the bill by fixing the salary of the Third District Commissioner at \$900.00 in place of \$1,000.00.

Which motion prevailed.

And the bill was so amended.

Mr. O'Neil moved,

To amend the bill by fixing the salary of the Assessor of Water Rents at \$1,300.00 in place of \$1,000.00.

Which did not prevail.

Mr. Weigand moved,

To amend the bill by fixing the salary of the City Engineer at \$2,000.00 in place of \$2,500.00.

Which motion prevailed.

And the bill was so amended.

Mr. Powers moved,

To fix the salary of the Mayor's Clerk at \$1,000.00 in place of \$1,200.00.

On which motion a division was had, and there were twenty-four ayes and ten noes.

So the motion prevailed.

And the bill was so amended.

Mr. O'Donnell moved,

To amend the bill by fixing the salary of the Chief Clerk to the Controller at \$1,000.00 in place of \$1,200.00.

Which motion prevailed.

And the bill was so amended.

Mr. Hoeh moved,

To amend the bill by fixing the salary of the City Attorney at \$3,000.00 in place of \$4,000.00.

Which motion did not prevail.

Mr. Lambie moved

To amend the bill by fixing the salary of the City Attorney at \$3500 in place of \$4000.

On which motion a division was had and there were twenty-four ayes and thirteen noes.

So the motion prevailed and the bill was so amended.

Mr. Sterling moved

To amend the bill by fixing the salary of the Superintendent of Water Works at \$1800 in place of \$1500.

Which did not prevail.

Mr. Hays moved

To amend the bill by fixing the salary of the Superintendent of Markets at \$1000 in place of \$1050.

Which motion prevailed.

And the bill was so amended.

Mr. Weigand moved

That the bill be amended by fixing the salary of the Wharfmaster at \$1000 in place of \$1200.

On which motion a division was had and there were twenty-two ayes and eleven noes.

So the motion prevailed.

And the bill was so amended.

And on the question "Shall the bill as

amended be agreed to?" the ayes and noes were demanded by Mr. **Powers** and the demand having been sustained.

The ayes and noes were ordered to be taken and were:

Ayes—Messrs. Atkinson, Barkley, Baum, Bradley, Bruce, Buckley, Burns, Costillo, Dannels, Duff, Flannery, Fox, Hays, Herron, Hoeh, Holmes, Lagerman, Lambie, Littell, Meyer, Miller, Moore (Wm.), McCandless, McClurg, McKinley, Nisbett, Noble, Nusser, O'Donnell, O'Neill, Patterson, Powers, Reiman, Rodgers, Rolfe, Shipton, Sorg, Sterling, Weigand, Welsh, Aiken, President—41.

Noes—Messrs. Gourley, Gray, Nantker, Schwarm, Taylor, Watson—6.

So the question was decided in the affirmative, and the bill as amended was agreed to.

And the title of the bill was read and agreed to.

C. C. No. 63. A communication from Francis Sellers dedicating the ground for Evans avenue from Arabella street to Fifth avenue.

Which was read, accepted and ordered to be filed.

C. C. No. 259. Resolution for exoneration of tax.

Which was read and the rule having been suspended, the resolution was read a second and third time and agreed to and passed finally.

S. C. Bill No. 272. An ordinance entitled "An ordinance granting the Pittsburgh, Cincinnati & St. Louis Railroad Company the right to erect and maintain a freight depot building on the Southern sidewalk of Carson street, Thirty-fourth ward."

Which was read.

Mr. **Rodgers** moved,

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended the bill was read a third time and agreed to.

And the title of the bill was read and agreed to.

Mr. **Rodgers** moved,

That the third reading of the bill.

Which motion prevailed.

And the bill was read a third time and agreed to.

And on the question "shall the bill pass finally," the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Bradley, Bruce, Buckley, Burns, Costillo, Flannery, Fox, Gourley, Gray, Hays, Herron, Holmes, Lagerman, Littell, Meyer, Moore (Wm.), McKinley, Nantker, O'Neill, Rodgers, Rolfe, Schwarm, Shipton, Sorg, Taylor, Watson, Welsh, Aiken, President—28.

Noes—Messrs. Atkinson, Barkley, Dannels, Lambie, McCandless, McClurg, O'Donnell, Nisbett, Reiman, Weigand—10.

And a majority of the votes of Select Council not being in the affirmative the bill did not pass finally.

And on motion Council adjourned.

COMMON COUNCIL.

W. W. THOMSON.....PRESIDENT *Pro. Tem.*
GEORGE BOOTH.....CLERK,

PITTSBURGH, September 10th, 1877.

Council met.

Present—Messrs. Aull, Belfore, Bigham, Dierst, Eagan, Frauenheim, French, Fennerly, Foley, Gallisath, Higgins, Hanlon, Kinzer, Kemler, Kohne, McClarren (R. M.), McClarran (Newton), McCafferty, Nantker, O'Donnell, Pier, Rea, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Weissner, Young.

Absent—Messrs. Blume, Forsythe, Gallagher, Hogle, Johnston, Kirchner, Manning, McKinley, Rahausser, Schumar, Schwarm.

The minutes of the meeting of August 13th were read and approved.

Mr. **Wamhoff** presented,

No. 251. Petition for the grading of Basin alley from Elm street to Washington street.

Which was referred to the Committee on Streets.

ALSO,

No. 252. An ordinance authorizing the grading of Basin alley from Elm street to Washington street.

Which was referred to the Committee on Streets.

Mr. **Pier** presented,

No. 253. Petition of Geo. Fawcett for privilege to lay a switch track on Grant street.

Which was referred to the Committee on Streets.

ALSO,

No. 254. An ordinance granting George Fawcett right to construct and maintain a switch track on Second avenue.

Which was referred to the Committee on Streets.

Mr. **Frauenheim** presented,

No. 255. Petition for the erection of three public gas lamps on Thirty-eighth street between Penn and Howley avenues.

Which was referred to the Committee on Gas Lighting.

Mr. **Voskamp** presented,

No. 256. Resolution for warrants in favor of the several assessors for preparing lists of resident taxables for apportionment of members of Councils.

Which was referred to the Committee on Finance.

Mr. **Aull** presented,

No. 257. A communication from the Board of Health relative to the cleaning out of the sewer on Washington street, South Side.

Which was referred to the Committee on Streets.

ALSO,

No. 258. Petition for the construction of a sewer on Second avenue from Market street to Wood street.

Which was referred to the Committee on Streets.

ALSO (by leave) the following:

No. 259. WHEREAS, The Collector of Taxes of the Twenty-first ward has in his possession a property tax amounting to \$18.27 assessed on property belonging to the widow of the late Jas. L. Stokely, an ex-policeman, who died from the effects of a bullet wound in the head, received while in the discharge of his official duty, and,

WHEREAS, The death of said Stokely has left his widow with a little home but no available means of support, and if forced to make the payment of the above tax, the collector will be compelled to sell her property, therefore,

Resolved, That the City Treasurer be and he is hereby directed to issue an exoneration for \$18.27 in favor of Mrs. J. L. Stokely, of the Twenty-first ward, on account of poverty.

Which was read, and the rule having been suspended, the resolution was read a third time and finally passed.

Mr. **French** presented

No. 260. Petition of J. N. Thackery for refunding of overpaid taxes.

Which was referred to the Board of Assessors.

Mr. **Higgins** presented,

No. 261. A report from the Committee on Streets, covering a statement of their expenditures for the month of August, as follows:

First District.....	\$1832 95
Second District.....	1721 55
Third District.....	1411 72
Fifth District.....	513 06
Sixth District.....	684 52
Seventh District.....	618 72
Engineer's Department.....	827 34

Total, \$7609 86

Which was read and received,

ALSO,

No. 262. Entitled "An Ordinance authorizing the grading of Shingiss street from Locust street to Bluff street.

Which was referred to the Committee on Streets and the Board of Viewers of Street Improvements.

The Clerk of Select Council having been introduced, presented the following for concurrence.

Reports from Committees on,

No. 339 S. C. Gas Lighting.

No. 340 S. C. City Property.

No. 341 S. C. Markets.

Which in S. C. were read and accepted.

S. C. Bill No. 324. An ordinance entitled "An Ordinance granting Davis, Chambers & Co. right to erect a frame shed.

Which in S. C. was finally passed.

S. C. No. 331. A communication from the Fire Department in relation to the extension of the fire alarm telegraph to the South Side hill wards.

Which in S. C. was read and accepted.

Mr. **Higgins** presented from the Street Committee, affirmatively recommended.

No. 199 C. C. An ordinance entitled "An Ordinance authorizing the grading of Spring alley from Laurel avenue to Mary street.

Which was read.

Mr. **Fennerty** presented,

No. 263. A remonstrance against the grading of Spring alley from Laurel avenue to Mary street.

And moved,

That the bill (No. 199) together with the remonstrance, be referred back to the Committee on Streets.

Which prevailed.

Also from the Committee on Streets, affirmatively recommended.

No. 157 C. C. An ordinance entitled "An Ordinance authorizing the grading, paving and curbing of Cliff street from east side of Cassatt street to Gum street.

Which was read and referred to the Board of Viewers of Street Improvements.

Also, from the Committee on Streets, affirmatively recommended.

No. 198 C. C. An ordinance entitled "An ordinance establishing the grade of Smallman street from Thirty-third to Thirty-fifth street.

Which was read

And on motion of Mr. **Higgins** the rule was suspended to allow the consideration, third reading and final passage of the bill.

And the bill was read a second time. And the bill was read a third time, and agreed to.

And on the question "shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Dierst, Egan, Frauenheim, French, Fennerty, Foley, Gallisath, Higgins, Hanlon, Kinzer, Kemler, Kohne, McClarran (R. M.), McClarran (Newton), McCafferty, Nantker, O'Donnell, Pier, Rea, Thomson (President *pro tem*), Voskamp, Wainwright, Walker, Wamhoff, Weisser, Young.

Noes—None.

And a majority of the votes of Common Councils being in the affirmative, the bill passed finally.

Also, From the Street Committee affirmatively,

No. 206, C. C. An ordinance entitled "An Ordinance establishing the grade of Thirty fourth street, from Butler street to Smallman street."

Which was read

And on motion of Mr. **Higgins**, the rule was suspended to allow the consideration, third reading and final passage of the bill.

And the bill was read a second time. And the bill was read a third time and agreed to.

And on the question "shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Dierst, Egan, Frauenheim, French, Fennerty, Foley, Gallisath, Higgins, Hanlon, Kinzer, Kemler, Kohne, McClarran (R. M.), McClarran (Newton), McCafferty, Nantker, O'Donnell, Pier, Rea, Thomson (President *pro tem*), Voskamp, Wainwright, Walker, Wamhoff, Weisser, Young—29.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

Also, from the Street Committee affirmatively recommended,

No. 308 S. C. An ordinance entitled "An Ordinance authorizing the assessment of damages and benefits caused by the grading of Homewood avenue from Penn avenue to Frankstown avenue."

Which was read.

And on motion of Mr. **Higgins**, the rule was suspended to allow the consideration, third reading and final passage of the bill.

And the bill was read a second time.

And the bill was read a third time and agreed to.

And on the question "shall the bill pass finally?" the ayes and noes were taken agreeably to law and were:

Ayes—Messrs. Aull, Belfore, Bigham, Dierst, Egan, Frauenheim, French, Fennerty, Foley, Gallisath, Higgins, Hanlon, Kinzer, Kemler, Kohne, McClarran (R. M.), McClarran (Newton), McCafferty, Nantker, O'Donnell, Pier, Rea, Thomson (President *pro tem*), Voskamp,

Wainwright, Walker, Wamhoff, Weisser, Young—28.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

Also, from the Street Committee affirmatively recommended,

No. 280 S. C. An ordinance entitled "An Ordinance to repeal an ordinance entitled 'An ordinance authorizing the opening of Reed street from Overhill street to Dinwiddie street,'" passed December 22d 1876.

Which was read.

And on motion of Mr. Higgins the rule was suspended to allow the consideration, third reading and final passage of the bill.

And the bill was read a second time.

And the bill was read a third time and agreed to.

And on the question "shall the bill pass finally?" the ayes and noes were taken agreeably to law and were:

Ayes—Messrs. Aull, Belfore, Bigham, Dierst, Egan, Frauenheim, French, Fennerty, Foley, Gallisath, Higgins, Hanlon, Kemler, Kohne, McClarran (R. M.), McClarran (Newton), McCafferty, Nantker, O'Donnell, Pier, Thomson (President *pro tem*), Wainwright, Walker, Wamhoff, Weisser, Young—28.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, from the Street Committee, affirmatively recommended.

No. 245 C. C. An ordinance entitled "An ordinance authorizing certain changes to be made in the contract made between the City of Pittsburgh and the Pennsylvania Rail Road Company, dated December 24th, A. D. 1872.

Which was read.

Mr. Higgins moved

To postpone further action until the next meeting.

Mr. Foley

Arose to a point of order as follows:

The following points are raised against No. 81.

First, That the Street Committee by resolution, indefinitely postponed the ordinance, at a special meeting called for its consideration.

Second, The only time said action could be reconsidered, was at the next subsequent meeting thereto, under the rules, which they failed to do.

Third, On last Friday, when a special meeting of the Street Committee was called for a specific purpose, when there was not a quorum present, the motion to reconsider was made.

The **Chair** (Mr. Aull) ruled,

That the endorsement on the ordinance was the only record he had of meetings of the Street Committee, and the endorsements show that the meeting of September 7th was the meeting subsequent to August 16th, 1877, therefore the motion to reconsider was in compliance with the rules, and the ordinance is properly before Councils.

Mr. Foley appealed from the decision of the Chair.

And on the question "shall the decision of the Chair be sustained?" Mr. Foley demanded the calling of the ayes and noes, and the demand having been sustained the call was ordered and taken and were:

Ayes—Messrs. Bigham, French, Higgins, Kinzer, Kemler, McClarran (R. M.), McClarran (Newton), Nantker, Thomson, Wainwright—10.

Noes—Messrs. Belfore, Dierst, Eagan, Frauenheim, Fennerty, Foley, Gallisath, Hanlon, Kohne, McCafferty, O'Donnell, Pier, Rea, Voskamp, Walker, Wamhoff, Weisser, Young—18.

And the decision of the Chair was not sustained.

Mr. Thomson (President *pro tem*.) having resumed the chair,

Decided that the motion to "postpone further action until the next meeting," was the only question before Councils.

Mr. Foley objected and claimed that by the sustaining of the appeal from the decision of the Chair (Mr. Aull) the bill was declared to be before Councils illegally.

The **Chair**

Ruled that the points stated by Mr. Foley, did not raise the question, that the bill was illegally before Councils.

Mr. Foley then arose to a point of order as follows:

"That the bill was not properly before Councils, for the reason that the Street Committee had acted illegally, by reconsidering their former action at a meeting other than the subsequent meeting," as required by the rules.

The **Chair** (Mr. Thomson) ruled

That the point of order was improper, for the reason, that Councils had no power to go behind the record as it appeared by the endorsements on the bill, and further that the question of the regularity of the proceedings of a Committee cannot be raised in Council as a question of order.

Mr. Walker moved

To adjourn.

On which a division was had, and the ayes were 17, and the noes were 8.

And Council was declared adjourned.

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

VOL. 10. MONDAY, SEPTEMBER 24, 1877. NO. 29.

Municipal Record.

SELECT COUNCIL.

DAVID AIKEN, JR.....PRESIDENT.
E. S. MORROW.....CLERK.

PITTSBURGH, September 24, 1877.

Council met.

Present—Messrs. Atkinson, Barckley, Baum, Boyd, Bradley, Brown (L. T.), Burns, Costillo, Dannals, Darlington, Duff, Evans, Felker, Foster (W. S.), Fox, Garrison, Gray, Hays, Herron, Hoeh, Holliday, Kelly, Kernan, Kerr, Lappan, Littell, Meyer, Moore (Wm.) McCandless, McKinley, Negley, Nisbett, Noble, O'Donnell, O'Neil, Patterson, Reiman, Rodgers, Schild, Schwarm, Shipton, Sorg, Sterling, Taylor, Weigand, Watson, Aiken, President.

Absent—Messrs. Ahl, Brown (Sam'l S.), Bruce, Buckley, Chambers, Flannery, Foster, (Alex. W.), Fullerton, Gourley, Holmes, Kennedy, Lagerman, Lambie, Miller, Moore (W. J.), MacConnell, McClurg, Nantker, Nusser, Owens, Powers, Rolfe, Welsh.

The minutes of the meeting of June 29 were read and approved.

Mr. Nisbet moved,

To postpone the further reading of the minutes.

Which motion prevailed.

Mr. Darlington presented,

[373] Petition of Shaw & Bevan for reduction of business tax.

Which was referred to Finance Committee.

Mr. Dannals presented,

[374] Petition of Thomas McKeefrey for abatement of business tax.

Which was referred to Finance Committee.

Mr. McCandless,

[375] Petition of James Ginniff for permission to finish and maintain an iron clad shed on the corner of Wilson and Logan streets.

Also,

[376] Resolved, That the privilege be and is hereby granted James Ginniff to finish and maintain the sheet iron shed partly completed by him at the corner of Logan and Wilson streets.

Which was read.

And the rule having been suspended the resolution was read a second and third time and agreed to and finally passed.

Mr. L. T. Brown,

[377] Petition of David E. Evans' heirs for refunding overpaid taxes.

Which was referred to the Board of Assessors.

Also,

[378] A petition for the relocation of Wyandotte Lane.

And,

[379] An ordinance relocating Wyandotte Lane at a width of thirty-three feet.

Which were referred to the Road Committee.

Mr. Atkinson,

[380] Petition of E. C. McTiernan for exoneration of business tax.

Which was referred to the Finance Committee.

Mr. Nisbet,

[381] An ordinance establishing the grade of Knox avenue between Arlington avenue and the city line.

Which was referred to the Survey Committee.

Mr. Shipton, from the Finance Committee,

[382] A report setting forth that the Committee, in the absence of bidders for the safe keeping and custody of the funds of the City, have designated the following banks as City Depositaries:

Allegheny National Bank.

Farmers Deposit National Bank.

First National Bank.

Which was read and approved.

Mr. Kerr moved,

To recall from the Ordinance Committee S. C. No. 311, resolution directing the Ordinance Committee to prepare and report to Councils an ordinance abolishing the office of South Side Wharf Master.

Which motion prevailed.

Mr. Kerr moved

That the Clerk be directed to notify Common Council that Select Council would be ready to meet that body in joint session at 3.15 o'clock, P. M., of this day, for the purpose of electing a South Side Wharf Master.

Mr. Atkinson moved,

To amend by substituting the words: "next regular meeting" in place of "this day."

Which motion prevailed.

And the motion was so amended, and as amended was decided in the affirmative.

Council proceeded to the consideration of business from Common Council.

C. C. No. 249. Report of Street Committee for July.

C. C. No. 244. Report of Printing Committee for July.

Which were severally read and received.
243 C. C. Report of Police Committee for July.

S. C. Bill No. 254. An ordinance entitled "An ordinance providing a penalty for refusal to pay wharfage."

In S. C. July 9th, read once.

Mr. **Darlington** moved,
To refer to the City Attorney for an opinion as to the legality of the ordinance.

Which motion prevailed.

Mr. **Hays** moved,

To suspend the rule to consider S. C. Bill No. 272, an ordinance entitled "An ordinance granting the Pittsburgh, Cincinnati & St. Louis Railroad Company the right to erect and maintain a freight depot building on the southern sidewalk of Carson street, Thirty-fourth ward."

S. C. September 10th, failed to pass for want of a legal majority.

Which motion prevailed.

And Council proceeded to the consideration of the bill.

And on the question "shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Barkley, Baum, Boyd, Bradley, Brown (L. T.), Burns, Costillo, Dannals, Darlington, Duff, Felker, Foster (W. S.), Fox, Garrison, Gray, Hays, Hoeh, Holliday, Kelly, Kernan, Kerr, Lappan, McKinley, Negley, Nisbett, Noble, O'Donnell, O'Neil, Reiman, Rodgers, Schild, Schwarm, Shipton, Sorg, Sterling, Taylor, Watson, Aiken, President—38.

Noes—Messrs. Atkinson, Weigand—2.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

237 C. C. Communication from the Board of Fire Commissioners asking Councils for an additional appropriation for payment of extraordinary expenses incurred on account of recent riot.

Which was read and received.

S. C. Bill No. 48. An ordinance entitled "An ordinance locating Evaline street."

In S. C. July 31st read a third time.

On the question "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Barkley, Boyd, Brown (L. T.), Burns, Costillo, Dannals, Darlington, Evans, Felker, Foster (W. S.), Fox, Garrison, Gray, Hays, Hoeh, Holliday, Kernan, Kerr, Lappan, Littell, McCandless, McKinley, Negley, Nisbett, Noble, O'Donnell, O'Neil, Patterson, Reiman, Rodgers, Schild, Schwarm, Shipton, Sorg, Sterling, Taylor, Watson, Aiken, President—38.

Noes—None.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Mr. **Negley** by leave presented petitions from the following persons, for abatement of business tax.

[383] Jno. Gilmore,
[384] C. Coleman & Son.
[385] M. Hasley,

Which were referred to the Finance Committee.

The Clerk of Common Council being introduced reported the following business for concurrence:

No. 198 C. C. An ordinance entitled "An ordinance establishing the grade of Smallman street from Thirty-third street to Thirty-fifth street.

C. C. September 10th, 1877, passed.

No. 308 S. C. An ordinance entitled "An ordinance authorizing the assessment of the damages and benefits caused by the grading of Homewood avenue, from Penn avenue to Frankstown avenue.

C. C. September 10th, 1877, passed.

No. 280 S. C. An ordinance entitled "An ordinance to repeal an ordinance authorizing the opening of Reed street from Overhill street to Dinwiddle street, passed December 22d, 1876.

C. C. September 10th, 1877, passed.

No. 206 C. C. An ordinance entitled "An ordinance establishing the grade of Thirty-fourth street, from Butler street to Smallman street."

C. C. September 10th, 1877, passed.

No. 261 C. C. A report from the Committee on Streets, covering a statement of their expenditures for the month of August.

C. C. September 10th, 1877, read and received.

No. 270 C. C. Resolution for appointment of a committee to investigate the Fire Commission.

No. 281 C. C. Resolution exonerating certain persons from payment of taxes.

Which in C. C. were severally read three times and passed.

Mr. **Taylor** by leave, presented,
[386] Resolved, That the City Treasurer be and is hereby authorized and directed to issue an exoneration for all City Taxes assessed against Mary Casey, Seventeenth ward, she being an old lady in indigent circumstances.

Which was read.

Mr. **Shipton** moved,
To refer to the Committee on Appeals from City Assessments.

Which motion prevailed.

S. C. Bill No. 83. An ordinance entitled "An ordinance fixing salaries of certain City officers."

S. C. September 10th, 1877, amended, and as amended read a second time and agreed to.

Was read a third time.

Mr. **Barkley** moved,
To reconsider action on the motion to agree to the bill on second reading.

Which motion did not prevail.

And the bill as read a third time was agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atkinson, Baum, Boyd, Bradley, Burns, Costillo, Dannals, Darlington, Duff, Evans, Felker, Foster (W. S.), Fox, Garrison, Gray, Hays, Herron, Holliday, Kelly, Kernan, Kerr, Lappan, Meyer, McCandless, McKinley, Nisbet, O'Donnell, O'Neil, Patterson, Reiman, Shipton, Sorg, Sterling, Weigand, Aiken, President—35.

Noes—Messrs. Barkley, Brown (L. T.), Hoeh, Negley, Schild, Schwarm, Taylor, Watson—8.

And a majority of the votes of Select Council not being in the affirmative the bill did not pass finally.

Mr. **Littell** moved,

To reconsider action on the motion to approve the Report of the Board of Viewers on the damages and benefits caused by the grading of Ridge street. (C. C. No. 229) passed September 10th.

Which did not prevail.

C. C. Bill No. 140. An ordinance entitled "An ordinance authorizing the assessment of damages and benefits caused by the

grading of Locust street, from Shingliss street to Miltenberger street.

Which was read once.

Mr. Darlington moved,

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended the bill was read a second time and agreed to.

And the title of the bill was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atkinson, Baum, Burns, Costillo, Dannals, Darlington, Evans, Felker, Foster (W. S.), Fox, Gray, Hays, Holliday, Kelly, Kernan, Kerr, Lappan, Meyer, Moore (Wm.), McCandless, McKinley, Negley, Nisbett, O'Donnell, O'Neil, Reiman, Rodgers, Schild, Schwarm, Shipton, Sorg, Sterling, Taylor, Weigand, Watson, Aiken, President—38.

Noes—Messrs. Herron, Littell—2.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass finally.

C. C. Bill No. 202. An ordinance entitled "An ordinance granting the Dithridge Glass Co. right to erect an iron clad building."

Which was read once.

Mr. Darlington moved,

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended the bill was read a second time and agreed to.

And the title of the bill was read and agreed to.

And the bill was read a third time and agreed to.

And on the question "Shall the bill pass finally," the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Atkinson, Barclay, Baum, Bradley, Burns, Darlington, Evans, Foster (W. S.), Fox, Garrison, Holliday, Kelly, Kernan, Kerr, Lappan, Meyer, Moore (Wm.), McCandless, McKinley, Negley, Nisbett, O'Donnell, O'Neil, Patterson, Reiman, Schild, Schwarm, Shipton, Sorg, Sterling, Taylor, Watson, Aiken, President—33.

Noes—Messrs. Herron, Littell—2.

And a majority of the votes of Select Councils not being in the affirmative the bill did not pass finally.

And on motion Council adjourned.

COMMON COUNCIL.

W. B. NEGLEY.....PRESIDENT.
GEORGE BOOTH.....CLERK.

PITTSBURGH, September 24th, 1877.

Council met.

Present—Messrs. Aull, Belfore, Bigham, Blume, Dierst, Egan, Fraunheim, French, Fennerty, Foley, Gallisath, Gallagher, Hig-

gins, Hanlon, Hogle, Johnston, Kinzer, Kemler, Manning, McClarran (R. M.), McCafferty, McKinley, Nantker, O'Donnell, Pier, Rahauer, Rea, Schuman, Schwarm, Thomson, Wainwright, Walker, Wamhoff, Young, Negley, President.

Absent—Messrs. Forsythe, Kirchner, Kohne, McClarran (Newton), Voskamp, Weiser.

The minutes of the meeting of September 10th were read and approved.

The Clerk of Select Council having been introduced, presented the following business for concurrence.

Reports from Committees, viz:

359 S. C. Water Committee reporting award of contracts.

Which was approved in S. C.

358 S. C. Water Committee for August. Received.

360 S. C. City Property Committee for August. Received.

361 S. C. Market Committee for August. Received.

365 S. C. Allegheny Wharf Committee for July. Received.

367 S. C. Road Committee for August. Received.

364 S. C. Resolution for removal of gas lamps by East End Gas Co. Passed.

362 S. C. Resolution for erection of gas lamps by South Side Gas Co. Passed.

363 S. C. Resolution for removal of gas lamps by Pittsburgh Gas Co. Passed.

371 S. C. Resolution for investigation into acts of Forbes street and Soho street Commissions. Passed.

Also announced that Select Council had concurred in the action of C. C. on the following papers:

S. C. Bill No. 96 An ordinance authorizing the construction of a boardwalk on Cassatt and Crescent streets.

242 C. C. Report of Viewers on damages caused by grading of Lincoln avenue.

229 C. C. Report of Viewers on damages caused by grading Ridge street.

C. C. Bill No. 152. An ordinance authorizing the grading, paving and curbing of Smallman street.

C. C. No. 63 Dedication by Francis Sellers of ground for Evans avenue from Arabella street to Fifth avenue.

123 C. C. Resolution directing Engineer to report on condition of Main street.

231 C. C. Resolution authorizing refunding of overpaid taxes.

232 C. C. Resolution exonerating certain taxes.

259 C. C. Resolution exonerating taxes of Mrs. Stokley.

Mr. Thomson presented,

264. An ordinance entitled "An ordinance authorizing the grading and paving of Exchange alley to a point one hundred feet east of Fourth street."

Which was referred to the Street Committee.

Mr. Walker presented,

265. A petition for the assessment of the damages and benefits caused by the grading of Bluff street.

Which was referred to the Street Committee.

Mr. Wamhoff presented,

266. Petition of Timothy Halley for refunding of overpaid water tax.

Which was referred to the Water Committee.

Mr. Pier presented,

[267] Petition of Henry Allis for refunding of overpaid taxes.

Which was referred to Board of Assessors.

ALSO,

[268] Petition of Daniel Williams for payment for damage done to property by the overflow of water from Fifth avenue at Soho.

Which was referred to the Committee on Finance.

Mr. **Kinzer** presented,

[269] Petition of Mrs. E. Plowden for exoneration from payment of taxes.

Which was referred to the Committee on Appeals.

Mr. **Pier** presented the following,

[270] WHEREAS, The Fire Commission by a communication to Councils dated July 30th, 1877, have complained that their appropriation is insufficient to maintain the efficiency of the Fire Department for the remainder of the year, and petitioned for an increase of the said appropriation of fifteen thousand dollars; And whereas charges that the said appropriation has not been prudently or economically expended, as well as other charges damaging to the good repute of the said commission have been made from time to time in the public press; therefore be it

Resolved, That a special joint committee of five to consist of two members of Select Council and three of Common Council, be appointed to inquire into the expenditures of said Commission, and to investigate any or all charges which have appeared in the public press, or any alleged irregularities or official misconduct which may be brought to the notice of said committee; and be it also

Resolved, That for the purpose of making the inquiries and investigations as thorough and conclusive as possible, the Mayor is hereby instructed to issue his subpoena and to compel the appearance before the said committee of any persons and the production of any papers, books, letters or other memoranda whose testimony they may deem necessary and said committee shall report to the Council as soon as may be whether such additional appropriation should be required, whether the same can now be lawfully made, and such other knowledge of the management of the Fire Department as may result from their labors.

Which was read.

And on motion of Mr. **Pier** the rule was suspended to allow the consideration and adoption of the same.

Mr. **Pier** moved,

The adoption of the preamble and resolutions.

Which prevailed.

Mr. **Wainwright** presented,

[271] An ordinance entitled "An ordinance establishing the grade of Smallman street from Thirty-sixth street to an alley in the rear of the lots fronting Thirty-eighth street.

Which was referred to the Committee on Streets.

ALSO,

[272] Petition of the Central Elevator Co. for privilege to erect a wooden building. Which was referred to the Committee on Wooden Buildings.

ALSO,

[273] An ordinance entitled "An ordinance granting the Central Elevator Co. right to erect a wooden building."

Which was referred to the Committee on Wooden Buildings.

Mr. **Thomson** presented,

[274] A report of the Viewers of Street Improvements on the damages caused by the grading of Garden street from Forty-fourth street to Forty-fifth street.

Which was approved.

ALSO,

[275] A preliminary report of the Board of Viewers of Street Improvements on grading, paving and curbing of Cliff street from Cassatt to Gum street.

Which was read and received.

ALSO,

No. 157 C. C. An ordinance entitled "An ordinance authorizing the grading, paving and curbing of Cliff street from east side of Cassatt street to Gum street.

In C. C. September 10th, 1877, referred to the Board of Viewers of Street Improvements.

Which was read.

And on motion of Mr. **Thomson**, the rule was suspended to allow the consideration, third reading and final passage of the bill.

And the bill was read a second time. And the bill was read a third time, and agreed to.

And on the question "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Blume, Dierst, Egan, Frauenheim, French, Fennerty, Foley, Gallisath, Gallagher, Higgins, Hanlon, Hogle, Johnston, Kinzer, Kemler, Manning, McClarran (R. M.), McCafferty, McKinley, Nantker, O'Donnell, Pier, Rahausen, Rea, Schuman, Schwarm, Thomson, Wainwright, Walker, Wamhoff, Young, Negley, President—37.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

ALSO,

[276] A report from the Street Committee requesting the return to them, for further consideration C. C. Bill No. 245, an ordinance entitled "An ordinance authorizing certain changes to be made in the contract made between the City of Pittsburgh and the Pennsylvania Railroad Company, dated December 24th, 1872.

Which was read, received and ordered to be filed.

Mr. **Thomson** moved,

That C. C. Bill No. 245, entitled "An ordinance authorizing certain changes to be made in the contract made between the City of Pittsburgh and the Pennsylvania Railroad Company, dated December 24th, A. D. 1872, be returned to the Street Committee for further consideration.

Mr. **Bigham** moved,

To amend by adding "and that the Street Committee be instructed to report the same back to this Council at the next meeting.

Which prevailed.

And on the adoption of the motion Mr. **Aull** and Mr. **Thomson** demanded the calling of the ayes and noes, and the demand being sustained the call was ordered, and the ayes and noes were taken, and were:

Ayes—Messrs. Belfore, Bigham, Blume, Dierst, Egan, Frauenheim, French, Fennerty, Foley, Gallisath, Gallagher, Hanlon, Hogle, Kemler, Manning, McCafferty, McKinley, Nantker, O'Donnell, Pier, Rahausen, Rea, Schuman, Schwarm, Thomson, Wainwright, Walker, Wamhoff, Young, Negley, President—30.

Noes—Messrs. Aull, Higgins, Johnston, Kinzer, McClarran (R. M.)—5.
So the motion prevailed.

The Clerk of Select Council being introduced, presented for concurrence, the following:

No. 382 S. C. A report from the Committee on Finance announcing the appointment of the Allegheny National Bank, the Farmer's Deposit National Bank and the First National Bank as City Depositories.
In S. C. September 24th, approved.

375 and 376 S. C.
Petition for and Resolution granting to James Ginniff permission to finish and maintain an iron clad shed corner Lo an and Wilson streets.

In S. C. September 24th, petition received and resolution passed.

Mr. **Foley** presented,
[277] A report from the Committee on Police, covering a statement of their expenditures for the month of August, amounting to \$8,724.22.

Which was read and received.

Mr. **Kemler** presented,
278 A report from the Committee on Monongahela Wharf covering a statement of their receipts and expenditures for the month of June, as follows:

RECEIPTS.

North Side.....\$949.44
South Side.....

EXPENDITURES.

North Side.....\$167.78
South Side..... 59.48
Which was read and received.

Also,

[279] A report from the Committee on Monongahela Wharf covering a statement of their receipts and expenditures for the month of August, as follows:

RECEIPTS.

North Side.....\$600.00
South Side..... 300.00

EXPENDITURES.

North Side.....\$192.28
South Side..... 30.40
Which was read and received.

Mr. **Diest** presented from the Committee on Appeals, affirmatively recommended.

No. 280. *Resolved*, That the City Treasurer be and he is hereby authorized and directed to issue and allow exoneration of all the City, Water Works Interest, Fire, Sinking Fund and Special Taxes assessed against the following parties: John Donovan, Fourteenth ward; Ann E. Wenzell, Twenty-sixth ward; David O'Conner, Twelfth ward; Ann Stewart, Thirty-second ward; Mrs. Campbell, Sixth ward.

Which was read.

And the rule having been suspended, the resolution was read a second and third time, and passed finally.

Also, from the Committee on Appeals affirmatively recommended.

No. 281. *Resolved*, That the Controller be and he is hereby authorized to issue his certificate on the Mayor, for warrants in favor of the following named persons, for the refunding of overpaid taxes, and charge the same to the Contingent Fund.

M. P. Howley, Fifteenth ward.....\$40.47.
John McCarthy, Fifteenth ward.....\$13.06.
Joseph White's heirs, Fifteenth ward.....\$35.86.
Harriet White, Fifteenth ward.....\$2.70.

A. Miller, Twenty-seventh ward.....\$3.73.
Edward Hartney, Twenty-fourth ward.....\$7.30
Louisa Patterson, Sixth ward.....\$44.50.
Louis Roll, Eleventh ward.....\$2.42.
Which was read.

And the rule having been suspended, the resolution was read a second and third time, and finally passed.

Mr. **Thomson** presented the following:

[282] *Resolved*, That Mrs. Mullen of the Sixth ward be exonerated from the payment of taxes on property fronting on Locust street in said ward, for the years 1876 and 1877.

Which was referred to the Committee on Finance.

BUSINESS FROM SELECT COUNCIL.

No. 367 S. C. Report from the Committee on Roads for August.

In S. C. September 10th, read and accepted.

In which action C. C. concurred.

No. 365 S. C. Report from Committee on Allegheny Wharf for July.

In S. C. September 10th, read and accepted.

In which action C. C. concurred.

No. 361 S. C. Report from the Committee on Markets for August.

In S. C. September 10th, read and accepted.

In which action C. C. concurred.

No. 360 S. C. Report from the Committee on City Property for August.

In S. C. September 10th, read and accepted.

In which action C. C. concurred.

No. 358 S. C. Report of the Committee on Water for August.

S. C. September 10th, read and accepted.

In which action C. C. concurred.

No. 359 S. C. Report from the Committee on Water covering award of contracts to J. H. Dewees, Mears & Pillow, John A. Hoffman, for digging trenches, building coal siding, and culverts for rising mains.

S. C. September 10th, read and approved.

In which action C. C. concurred.

No. 362 S. C. Resolution for the erection of the public gas lamps by the South Side Gas Co.

S. C. September 10th, passed.

Which the rule having been suspended, was read three times and passed finally.

No. 363 S. C. Resolution for the erection of public gas lamps by the Pittsburgh Gas Co.

S. C. September 10th, passed.

Which, the rule having been suspended, was read three times and passed finally.

No. 371 S. C. Resolution for the appointment of a special committee of five to investigate the acts of the Commissioners for the improvement of Forbes street from Brady street to Shady Lane, and Soho street from Center avenue to Fifth avenue.

In S. C. September 10th, passed finally.

Which was read.

Mr. **Thomson** moved.

To postpone further action until the next meeting.

Which prevailed.

No. 286, S. C. An ordinance, entitled "An ordinance authorizing a temporary loan for the payment of interest on bonds issued for the improvement of avenues and streets under the provisions of the Penn avenue Act."

In S. C. September 10th, 1877, passed finally.

Which was read.

And on motion of Mr. **Thomson** the rule was suspended to allow the consideration, third reading and final passage of the bill.

And the bill was read a second time.
Mr. Wainwright moved,
 To postpone further action until the Supreme Court of Pennsylvania have given a decision in the case of the City of Pittsburgh vs. D. W. C. Bidwell.
Mr. Thomson moved,
 To amend, by postponing further action for one month.
 Which did not prevail.
 And the question recurring on the motion of **Mr. Wainwright**, the motion prevailed.
 No. 382, S. C. Report from the Committee on Finance, announcing the selection of the Allegheny National Bank, the Farmers Deposit National Bank and the First National Bank, as City Depositories.
 In S. C. September 24th, 1877, read and approved.
 In which action C. C. concurred.
 The **Chair** presented.
 [283] A communication from Wm. M. Kirchner, asking a leave of absence until the first meeting in October.
 Which was read and received, and request granted.
Mr. Foley, (by leave) presented the following:
 [284] *Resolved*, that the Clerk of this Council notify the Board of Assessors that hereafter this branch will not act on any business from them, unless signed by at least two members of the Board.
 Which was read and passed.
 No. 329, S. C. Report of the Committee on Roads for June.
 S. C. July 9th read and accepted.
 In which action C. C. concurred.
 No. 326, S. C. Report of the Committee on Water for June.
 In S. C. July 9th, read and accepted.
 In which C. C. concurred.
 No. 339, S. C. Report of the Committee on Gas Lighting for July.
 S. C. July 30th read and accepted.
 In which action C. C. concurred.
 No. 340 S. C. Report from the Committee on City Property for July.
 S. C. July 30th, read and accepted.
 In which action C. C. concurred.
 The Clerk of S. C. having been introduced, announced that Select Council had fixed the next regular meeting at 3 30 o'clock, P. M. for a meeting in joint session for the purpose of electing a South Side Wharfmaster.
 No. 341 S. C. Report from the Committee on Markets for June.
 S. C. July 30th, read and accepted.
 In which action C. C. concurred.
 No. 333, S. C. Resolutions for Warrants in favor of John Parkins, B. McTier, and E. Wormser in payment of damages caused by the grading of Sylvan avenue.
 S. C. July 9th, passed finally.
 C. C. July 10th, read, and pending action, Council adjourned.

Which was read.
Mr. Thomson moved,
 A suspension of the rules for the final passage of the resolution.
 Which prevailed.
Mr. Bigham moved,
 To postpone further action until the next meeting.
 Which prevailed.
 No. 317, S. C. A message from Hon. W. C. McCarthy, returning, without his approval, S. C. Bill No. 49.
 An ordinance, entitled "An ordinance amending an ordinance authorizing the opening of Mary street from Twenty-seventh to Thirty-second street," passed Nov. 29th, 1875.
 S. C. July 9th, 1877, read and accepted.
 In which action C. C. concurred.
 No. 331, S. C. A communication from the Fire Commission announcing that from insufficiency of funds, the Fire Alarm Telegraph cannot be extended to the hill wards of the South Side this year.
 S. C. July 30th, read and accepted.
 In which action C. C. concurred.
 No. 316, S. C. A message from Hon. W. C. McCarthy, Mayor, returning, without his approval, S. C. Bill No. 237, entitled "A further supplement to the ordinance of February 7th, 1870," entitled "An ordinance to provide for the safe keeping and custody of the funds of the city."
 S. C. July 9th, read and accepted.
 In which action C. C. concurred.
 No. 33, S. C. A resolution for a Warrant in favor of F. Eggers, for the sum of \$29.63, for refunding of moneys paid on erroneous assessment for the improvement of Pearl street.
 In S. C. July 9th, passed finally.
 Which was read.
 And the rule was suspended to allow the final passage of the resolution.
 And on the passage of the resolution **Mr. Thomson** demanded the calling of the ayes and noes, and the demand being sustained the call was ordered and taken, and were:
 Ayes—Messrs. Aull, Blume, Dierst, Egan, Frauenheim, Fennerty, Higgins, Hanlon, Hogle, Johnston, Kemler, Manning, McCafferty, McKinley, Nantker, O'Donnell, Pier, Rea, Schuman, Thomson, Negley—21.
 Noes—Mr. Bigham—1.
 And a majority of the votes being in the affirmative, the resolution passed finally.
 No. 324, S. C. An ordinance, entitled "An ordinance granting Davis, Chambers & Co. right to erect a frame shed."
 In S. C. July 30th, passed finally.
 Which was read.
Mr. Rea moved,
 To postpone further action until the next meeting.
 Which prevailed.
 Adjourned.

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

VOL. 10. MONDAY, OCTOBER 8, 1877. NO. 31.

Municipal Record.

SELECT COUNCIL.

DAVID AIKEN, JR.....PRESIDENT.
E. S. MORROW.....CLERK.

PITTSBURGH, October 8th 1877.

Council met.

Present—Messrs. Barclay, Baum, Bradley, Bruce, Chambers, Costillo, Duff, Felker, Flannery, Foster (Alex. W.), Fox, Fullerton, Gourley, Hays, Herron, Hoeh, Holliday, Holmes, Kelly, Kennedy, Kernan, Kerr, Lagerman, Lambie, Lappan, Littell, Miller, Moore (Wm.), McCandless, McClurg, MacConnell, McKinley, Negley, Nisbett, Noble, Nusser, O'Donnell, Patterson, Powers, Reiman, Rodgers, Schild, Schwarm, Shipton, Sorg, Sterling, Taylor, Weigand, Watson, Welsh, Aiken, President. Absent—Messrs. Ahl, Atkinson, Boyd, Brown (L. T.), Brown (Sam'l S.), Buckley, Burns, Dannals, Darlington, Evans, Foster (W. S.), Garrison, Gray, Meyer, Moore (W. J.), MacConnell, Nantker, O'Neill, Owens, Rolfe.

Mr. Powers moved.

To dispense with the reading of the minutes.

Which motion prevailed.

Mr. Weigand presented.

[386] Petition of A. J. Smith for an exoneration of business tax.

Which was referred to Finance Committee.

Mr. Shipton.

[387] Petition for the erection of public gas lamps on Grant street between Fourth and Fifth avenues.

Which was referred to the Committee on Gas Lighting.

Mr. Herron.

[388] Petition of F. M. Gipner for an abatement of water tax.

Which was referred to the Water Committee.

Mr. Gourelly, from the Board of Assessors, affirmatively recommended.

[389] Resolved, That the City Controller, be and he is hereby authorized and directed to issue his certificates on the Mayor for warrants in favor of the following named persons for the refunding of overpaid taxes. C. Bauersmith, \$15.53; I. N. Thackery, \$18.47; Henry Alles, \$8.69, and charge the same to Appropriation No. 13, Contingent Fund,

Which was read.

Mr. Barclay moved.

To postpone action until next meeting.

Which motion prevailed.

Mr. Barclay.

[390] Petition of Alexander McBane, for abatement of business tax.

Which was referred to the Finance Committee.

Also.

[391] A remonstrance against the grading and paving of Cliff street.

Which was referred to the Street Committee.

Mr. Welsh.

[392] Petition of Geo. Dobbs for leave to erect a frame building, iron clad, on Smallman street between Twenty-fifth and Twenty-sixth streets.

Which was referred to the Committee on Wooden Buildings.

Mr. Powers.

The following petitions for the reduction of business taxes.

[393] D. Rodgers.

[394] G. W. H. Davis & Co.

[395] J. J. McCormick.

[396] George H Stoebner.

[397] R. J. Fleming.

[398] William Strobely.

[399] C. Berringer.

[400] William League.

[401] J. F. Lang.

[402] McCutcheon & Son.

[403] Jacob Glosser.

[404] Croft & Phillips.

[405] William Smith.

Which were referred to the Finance Committee.

Mr. McKinley.

[406] Petition of A. B. Boal for the refunding of overpaid taxes.

Which was referred to the Board of Assessors.

Mr. Fox.

[407] Petition of F. Spaulding for exoneration of business tax.

Which was referred to the Committee on Finance.

Mr. Weigand.

[408] Dedication by F. Kohne of Sabina street from Hazelwood avenue to Frank street, Twenty-third ward.

Which was read, accepted and ordered to be filed.

Mr. McClurg.

[409] Petition for the erection of a public gas lamp on Sarah street, between Twenty-seventh and Twenty-eighth streets.

Which was referred to the Committee on

Gas Lighting.

Mr. Patterson.

[410] Petition of John Wolf for a reduction of taxes assessed on property in the Twenty-fifth ward.

Which was referred to the Board of Assessors.

Mr. Noble.

[411] *Resolved*, That the Street Commissioner of the District be and he is hereby directed to notify the owners of the property abutting on the south side of Carson street, between the Monongahela bridge and the Monongahela Incline Plane, to make and lay a pavement or sidewalk on their respective properties between the points above mentioned. Said pavement to be completed within thirty days from date, and if the Commissioner's notice be not complied with within said time, the Street Commissioner will then proceed at once to make the pavement and collect the cost of the same from the property abutting, according to law.

Which was read and referred to the Committee on Streets.

Mr. Kernan.

[412] *Resolved*, That the Street Commissioner of the Seventh District be and he is hereby directed to notify the Pittsburgh, Cincinnati & St. Louis Railroad authorities to desist from encroaching on the southern sidewalk of Carson street to a greater extent than the limits contained in the ordinance of Councils passed September 25th. To wit: sixty feet east and ninety feet west of the center line of the Point Bridge produced.

Which was read and referred to the Committee on Streets.

Mr. McCandless, the following:

[413] *Resolved*, That the Finance Committee in conjunction with the City Controller, be and they are hereby authorized and directed to issue and dispose of one hundred thousand dollars worth of the bonds authorized by the Act of Assembly passed March, 1877. And place the proceeds thereof to the credit of the Water extension fund.

Which was read and the rule having been suspended the resolution was read a second and third time and finally passed.

Mr. Noble, from the Committee on Wooden Buildings, reported affirmatively.

C. C. Bill No. 273. An ordinance entitled "An ordinance granting the Central Elevator Co. right to erect a wooden building."

Which was read.

Mr. Noble moved.

To suspend the rule to allow the further consideration of the bill.

Which motion prevailed.

And the rule having been suspended the bill was read a second time.

Mr. Gourley moved.

To recommit the bill to the Committee for amendment.

Which motion prevailed.

Mr. Herron from the Committee on Allegheny Wharf.

[414] A report showing the expenditures, \$61.67; receipts, \$527.75. For the month of August.

Which was read and received.

Mr. Gourley, from the Committee on Streets, negatively.

S. C. Bill No. 91. An ordinance entitled "An ordinance authorizing the construction of a boardwalk on Manor street from tunnel under P. V. & C. Railway to P. V. & C. Railway crossing.

Mr. Gourley moved.

To postpone action on the bill indefinitely.

Which motion prevailed.

The Clerk of Common Council having been introduced, presented for concurrence, the following:

No. 274 C. C. A report of the Viewers of Street Improvements on the damages caused by the grading of Garden street from Forty-fourth street to Forty-fifth street.

C. C. September 24th approved.

No. 275 C. C. A preliminary report of the Viewers of Street Improvements on the grading, paving and curbing of Cliff street from Cassatt to Gum street.

C. C. September 24th, read and received.

No. 157 C. C. An ordinance entitled "An ordinance authorizing the grading, paving and curbing of Cliff street from Cassatt street to Gum street.

C. C. September 24th, passed finally.

REPORTS OF COMMITTEES.

No. 277 C. C. Report of Committee on Police for August.

C. C. September 24th, read and received.

No. 278 C. C. Report of Committee on Monongahela Wharf for June.

C. C. September 24th, read and received.

No. 279 C. C. Report of Committee on Monongahela Wharf for August.

C. C. September 24th, read and received.

RESOLUTIONS.

No. 280 C. C. Resolution granting certain exonerations from payment of taxes.

C. C. September 24th, passed finally.

No. 281 C. C. Resolution for warrants for refunding overpaid taxes.

C. C. September 24th, passed finally.

ALSO announcing that Common Council had concurred in the action of Select Council on the following papers:

No. 367 S. C. Report from the Committee on Roads for August.

No. 365 S. C. Report from Committee on Allegheny Wharf for July.

No. 361 S. C. Report from the Committee on Markets for August.

No. 360 S. C. Report from the Committee on City Property for August.

No. 358 S. C. Report of the Committee on Water for August.

No. 359 S. C. Report from the Committee on Water covering award of contracts for digging trenches, building coal siding, and culverts for rising mains.

No. 362 S. C. Resolution for the erection of the public gas lamps by the South Side Gas Co.

No. 363 S. C. Resolution for the erection of public gas lamps by the Pittsburgh Gas Co.

No. 382 S. C. A report from the Committee on Finance announcing the selection of City Depositaries.

No. 329, S. C. Report of the Committee on Roads for June.

No. 326, S. C. Report of the Committee on Water for June.

No. 339, S. C. Report of the Committee on Gas Lighting for July.

No. 340 S. C. Report from the Committee on City Property for July.

No. 341 S. C. Report from the Committee on Markets for June.

No. 317, S. C. A message from Hon. W. C. McCarthy, Mayor, returning, without his

approval, S. C. Bill No. 49.

No. 331, S. C. A communication from the Fire Commission announcing that from insufficiency of funds, the Fire Alarm Telegraph cannot be extended to the hill wards of the South Side this year.

No. 33, S. C. A resolution for a War-rant in favor of F. Eggers, for refunding of erroneous assessment for improving Pearl street.

Also, announced that Common Council declined to go into joint session for the election of a South Side Wharfmaster.

Mr. **Kerr**, by leave, presented

[415] *Resolved*, That Common Council be requested to meet this Council in joint session this day at three o'clock for the purpose of electing a South Side Wharfmaster.

Which was read.

Mr. **Kerr** moved,

The passage of the resolution.

On which motion the ayes and noes were demanded by Mr. **Hays** and the demand having been sustained, were ordered to be taken and were,

Ayes—Messrs. Baum, Bruce, Chambers, Dannals, Felker, Foster (Alex. W.), Fox, Fullerton, Gourley, Herron, Hoeh, Holliday, Holmes, Kelly, Kennedy, Kernan, Kerr, Lagerman, Lappan, Littell, Miller, Moore (Wm.), McCandless, MacConnell, McKinley, Negley, Nisbett, Noble, O'Donnell, Patterson, Powers, Schwarm, Shipton, Sorg, Sterling, Taylor, Weigand, Watson, Welsh, Aiken, President—36.

Noes—Messrs. Barclay, Bradley, Costillo, Hays, McCandless, McConnell, McKinley, Nusser, Reiman, Rodgers—10.

So the motion prevailed, and the resolution was passed.

Mr. **Hoeh** from the Committee on Roads,

[416] A report covering a statement of the expenditures of the Road Department (\$943 40) for the month of September, 1877.

Which was read and accepted.

Also from the same Committee affirmative-ly,

S. C. Bill 320. An ordinance entitled "An ordinance authorizing the opening of Murphy street from Fifth avenue to Forbes street."

Which was referred to the Board of Viewers of Street Improvements.

Also from the same Committee affirmative-ly,

S. C. Bill No. 379. An ordinance entitled "An ordinance relocating Wyandotte Lane at a width of thirty-three feet.

Mr. **McConnell** moved,

To recommit the bill to the Road Com-mittee.

Which motion prevailed.

Mr. **McCandless** from the Committee on Water.

[417] A report covering a statement of the expenditures for the month of September, (\$6977.96).

Which was read and received.

Also, from the same Committee,

[418.] A report setting forth that the Committee had awarded the contracts for the laying of Water Mains on Liberty street and the furnishing of branch pipes to the following parties: laying the Water Mains to Wil-liam Flinn, at the following prices: 36 inch pipes, sixty-nine cents per lineal foot; for all small pipes, forty-five cents per lineal foot; furnishing branch pipes to John W. Smith, at \$42.50 per net ton.

Which was read and approved.

Mr. **Negley**, by leave,

[419.] Petition for the passage of the Ordinance authorizing the making of a con-tract with the East End Gas Company.

Also,

[420.] A petition for the erection of a public gas lamp on Mary street.

Which were read and referred to the Com-mittee on Gas Lighting.

Council proceeded to the consideration of the following

UNFINISHED BUSINESS.

C. C. Bill No. 202. An ordinance, enti-tled "An ordinance granting Dithridge Glass Company right to erect an iron clad build-ing."

In S. C. September 24, failed to pass finally for want of a legal majority.

And on the question "Shall the bill pass finally?" the ayes and noes were taken agree-ably to law, and were:

Ayes—Messrs. Barclay, Baum, Bradley, Bruce, Chambers, Costillo, Dannals, Fox, Fullerton, Gourley, Hays, Hoeh, Holliday, Holmes, Kelly, Kennedy, Kernan, Kerr, Lagerman, Lappan, Littell, Miller, Moore (Wm.), McCandless, MacConnell, McClurg, McKinley, Negley, Nisbett, Noble, Nusser, O'Donnell, Reiman, Rodgers, Schild, Schwarm, Shipton, Sorg, Sterling, Taylor, Watson, Welsh, Aiken, President—43.

Noes—None.

And a majority of the votes of Select Coun-cil being in the affirmative, the bill passed finally.

Mr. **Noble** moved,

To reconsider the action had on S. C. Bill No. 273, an ordinance, entitled "An ordi-nance granting the Central Elevator Company right to erect a wooden building."

Which motion prevailed.

And the motion to recommit did not prevail.

Mr. **Noble** moved,

To amend the bill by inserting the words "Which shall be plated or covered with either iron or slate."

Which motion prevailed.

And the bill was so amended, and as amended was agreed to.

Mr. **Kennedy**, by leave presented,

[421] Petition of Samuel J. Grier for the refunding of overpaid taxes.

Which was referred to the Board of Assess-ors.

S. C. Bill No. 83. An ordinance enti-tled "An ordinance fixing the salaries of cer-tain City Officers." In S. C. September 24th, failed to pass for want of a legal majority.

Mr. **Littell** moved,

To amend by inserting the words "South Side Wharfmaster, \$500.00."

The **President** ruled,

That after a bill had passed the third reading and is on its final passage it is be-yond amendment.

From which ruling Mr. **Littell** appealed.

And on the question "shall the decision of the Chair stand as the decision of the house," a division was had and there were thirty ayes and nine noes. So the decision of the Chair was sustained.

Mr. **Littell** moved,

That the bill be committed to the Com-mittee of the Whole for general amendment. On which motion a division was had and there were twenty-seven ayes and ten noes.

So the motion prevailed.

And Council resolved itself into a Commit-tee of the Whole.

And the Committee having risen,

Mr. **McCandless** from the Committee of the Whole, reported,

S. C. Bill No. 83. An ordinance entitled "An ordinance fixing the salaries of certain City Officers," as amended in Committee of the Whole by the insertion of the words "South Side Wharfmaster \$500.00."

And the report of the Committee was agreed to.

And the bill as amended was agreed to on the third reading.

S. C. Bill No. 84. An ordinance entitled "An ordinance fixing the compensation to be paid the employees of the Fire Department."

In S. C. July 9th, failed to pass for want of a legal majority.

Mr. **Shipton** moved,

That the bill be committed to the Committee of the Whole for the purpose of amending the same as follows: changing the words "from and after the first day of May, 1877," to read "from and after the first day of January, 1878."

Which motion prevailed.

And Council resolved itself into a Committee of the whole.

And the Committee having risen,

Mr. **McCandless** from the Committee of the Whole, reported,

S. C. Bill No. 84. An ordinance entitled "An ordinance fixing the compensation to be paid the employees of the Fire Department," as amended in accordance with the instructions of Council.

And the report of the Committee was agreed to.

And the bill as amended, was read a third time and agreed to.

Mr. **Sorg** presented,

[421] Petition from Fischer, Thomas & Co. for the privilege of erecting a private weigh scale on Mary street, Twenty-sixth ward.

Which was referred to the Committee on Streets.

Mr. **Kennedy**,

Petitions for abatement of business tax.

[493] Wm. Conkle,

[424] Henry Pallitt,

Which were referred to the Committee on Finance.

And on motion Council adjourned.

COMMON COUNCIL.

W. B. NEGLEY.....PRESIDENT.
GEORGE BOOTH.....CLERK

PITTSBURGH, October 8th, 1877.

Council met.

Present—Messrs. Aull, Belfore, Bigham, Blume, Egan, French, Fennerty, Foley, Gallisath, Hanlon, Hogle, Johnston, Kinzer, Kemler, Kohne, McClarran (R. M.), McClarran (Newton), McCafferty, McKinley, O'Donnell, Pier, Rahausser, Rea, Schuman, Schwarm, Thomson, Wainwright, Young, Negley, President.

Absent—Messrs. Dierst, Forsythe, Fraunheim Gallagher, Higgins, Kirchner, Manning, Nantker, Voskamp, Walker, Wamhoff, Weiser.

On motion of Mr. **Foley** the reading of the minutes of the previous meeting was dispensed with.

Mr. **Foley**, (by leave) moved,

That the Clerk be directed to inform Select Council that this body declines to meet with them in joint session for the purpose of electing a wharf master for the South Side wharf.

Which was agreed to, and Select Council was so notified.

Mr. **Gallisath** presented,

[285] Petition of Brooks & Co. for abatement of business tax.

Which was referred to Committee on Finance.

The Clerk of Select Council having been introduced announced that Select Council had concurred with Common Council in the action had on the following business.

C. C. No. 237 A communication from the Fire Commission asking for an additional appropriation for the present fiscal year to cover the payment of extraordinary expenses incurred during the railroad riots.

243 C. C. Report of Police Committee for July.

244 C. C. Report from the Committee on Printing for July.

249 C. C. Report from the Committee on Streets for July.

S. C. Bill No. 48. An ordinance locating Evaline street.

S. C. Bill No. 572. An ordinance granting the Pittsburgh, Cincinnati & St. Louis Railroad Co. the right to erect and maintain a freight and depot building on the southern side of Carson street, Thirty-fourth ward.

Mr. **Thomson** presented,

[286] Petition for public gas lamps on Grant street between Fourth and Fifth avenues.

Which was referred to the Committee on Gas Lighting

Mr. **Kohne** (for Mr. **Wamhoff**) presented,

[287] Petition of Timothy Hailey for refunding overpaid water tax.

Mr. **Kohne** moved,

To refer the petition to the Committee on Finance.

Which did not prevail and the petition was referred to the Committee on Water.

Mr. **Kinzer** presented,

[288] Petition of Robert Grierson for refunding of overpaid taxes.

Which was referred to the Board of Assessors.

Mr. **Fennerty** presented,

[289] Petition of A. & J. Dietz for abatement of business tax.

Which was referred to the Committee on Finance.

Also,

[290] Petition of Catherine Gaven for abatement of business tax.

Which was referred to the Committee on Finance.

Also,

[291] Petition for the grading and paving of Woodslairs alley from John street to Iron City Park.

Which was referred to the Committee on Streets.

Mr. **Wainwright** presented,

[292] Petition of W. W. Wallace for abatement of taxes.

Which was referred to the Board of Assessors.

Mr. **Rahausser** presented,

[293] Petition of Martin Ehman for exoneration from payment of assessment for Twenty-seventh street sewer, erroneously assessed.

Which was referred to the Committee on Finance.

Mr. Aull presented.

[294] Petition for the opening of Woodville avenue from Washington pike to Shalerville.

Which was referred to the Committee on Streets.

Also,

[295] An ordinance entitled "An ordinance authorizing the opening of Woodville avenue from Washington pike to Shalerville.

Which was referred to the Committee on Streets.

Mr. Thomson presented.

[296] A report from the Committee on Streets covering a statement of their expenditures for the month of September, as follows:

1st District Commissioner.....	\$1250 38
2d " " ".....	1233 74
3d " " ".....	850 63
5th " " ".....	654 20
6th " " ".....	474 75
7th " " ".....	846 89
Engineer's Department.....	848 64

Total.....\$6159 23

Which was read and received.

Also,

[297] An ordinance entitled "An ordinance authorizing the construction of a sewer on Second avenue, from Market street to Wood street."

Which was referred to the Committee on Streets.

Also,

[298] An ordinance entitled "An ordinance authorizing the assessment of damages and benefits caused by the grading of Bluff street from Shingiss street to Marion street.

Which was referred to the Committee on Streets.

[299] An ordinance entitled "An ordinance authorizing the opening of Arch street from Cassatt street to Ledlie street.

Which was referred to the Committee on Streets.

Also, from the Committee on Streets affirmatively recommended.

264 C. C. An ordinance entitled "An ordinance authorizing the grading and paving of Exchange alley from west side of Evans alley to a point one hundred feet east of east side of Fourth street.

Which was referred to the Board of Viewers of Street Improvements.

Also, from the Street Committee, affirmatively recommended.

252 C. C. An ordinance entitled "An ordinance authorizing the grading of Basin alley from Elm street to Washington street.

Which was referred to the Board of Viewers of Street Improvements.

Also,

[300] A preliminary report of the Board of Viewers of Street Improvements on the grading of Shingiss street from Locust street to Bluff street.

Which was read and received.

Also, from the Street Committee affirmatively recommended.

No. 262 C. C. An ordinance entitled "An ordinance authorizing the grading of Shingiss street from Locust street to Bluff street.

In C. C. September 10th, referred to Com-

mittee on Streets and Board of Viewers.

Which was read.

Mr. Thomson moved.

That the rule be suspended to allow the consideration third reading and final passage of the bill.

And the bill was read a second time and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Egan, French, Johnston, Kohne, McClarran (R. M.), Pier, Rahausser, Rea, Thomson—10.

Noes—Messrs. Belfore, Bigham, Blume, Fennerty, Foley, Gallisath, Hanlon, Hogle, Kinzer, Kemler, McClarran (Newton), McCafferty, O'Donnell, Schuman, Schwarm, Negley—16.

And a majority of the votes of Common Council not being in the affirmative, the bill did not pass finally.

Also, from the Street Committee affirmatively recommended.

No. 271 C. C. An ordinance entitled "An ordinance establishing the grade of Smallman street from Thirty-sixth street to an alley in the rear of the lots fronting Thirty-eighth street.

Which was read.

And on motion of Mr. Thomson the rule was suspended to allow the consideration, third reading and final passage of the bill.

And the bill was read a second time.

And the bill was read a third time and agreed to.

And on the question "Shall the bill pass finally," the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Blume, Egan, French, Fennerty, Foley, Gallisath, Hanlon, Hogle, Johnston, Kemler, Kohne, McClarran (R. M.), McClarran (Newton), McCafferty, McKinley, O'Donnell, Pier, Rahausser, Rea, Schuman, Schwarm, Thomson, Wainwright, Young, Negley, President—28.

Noes—Mr. Kinzer—1.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

Also, from the Street Committee with a request that it be returned to them for further consideration.

245 C. C. An ordinance entitled "An ordinance authorizing certain changes to be made in the contract made between the City of Pittsburgh and the Pennsylvania Railroad Company, dated December 24th, A. D. 1872."

Mr. Thomson moved.

That the bill be referred back to the Street Committee for further consideration.

Mr. Aull moved.

That the bill be committed to the Committee of the Whole for consideration and amendment.

Which was agreed to.

And Council resolved itself into a Committee of the Whole.

And the Committee of the Whole having risen,

Mr. Thomson the Chairman, reported the bill to Council without amendment.

The Clerk of Select Council having been introduced, presented the following papers for concurrence.

415 S. C. Resolution for a meeting in joint session at 3 P. M. for the purpose of electing a South Side Wharf Master.

S. C. October 8th, passed.

No. 418 S. C. A report from the Committee on Water, covering awards of contracts for laying 36 inch water main on Liberty street to Wm. Flinn, and to John N. Smith for furnishing castings for branch connections.

S. C. October 8th, approved.

No. 413 S. C. Resolution authorizing the City Controller to issue bonds to the amount of one hundred thousand dollars, on account of New Water Works.

S. C. October 8th, passed finally.

Mr. Thompson renewed his motion, to recommit the bill [No. 245 C. C.] to the Committee on Streets for further consideration.

Mr. Pier moved

That further action be indefinitely postponed.

On which Messrs. Aull and Thomson demanded the calling of the ayes and noes, and the demand being sustained, the call was ordered and taken and were

Ayes—Messrs. Belfore, Egan, Fennerty, Foley, Hogle, Kohne, McCafferty, O'Donnell, Pier, Rea, Schuman, Young—12.

Noes—Messrs. Aull, Bigham, Blume, French, Gallisath, Hanlon, Johnston, Kinzer, Kemier, McClarran, [R. M.] McClarran, [Newton] McKinley, Rahausser, Schwarm, Thomson, Wainwright, Negley—17.

So the motion did not prevail, and the question recurring on the motion [of Mr. Thomson] to recommit the bill to the Committee on Streets for further consideration.

Mr. Aull demanded the calling of the ayes and noes, and the demand being sustained, the call was ordered and taken, and were

Ayes—Messrs. Blume, Egan, Fennerty, Foley, Hogle, McCafferty, O'Donnell, Rea, Schuman, Young—10.

Noes—Messrs. Aull, Belfore, Bigham, French, Gallisath, Hanlon, Johnston, Kinzer, Kemler, Kohne, McClarran [R. M.] McClarran [Newton], McKinley, Pier, Rahausser,

Schwarm, Thomson, Wainwright, Negley, President—19.

So the motion did not prevail.

Mr. Aull moved,

That the rule be suspended to allow the consideration, third reading and final passage of the bill

Which prevailed and the bill was read a second time.

Mr. Rea moved

To amend the bill by striking out the words "maintain but one track on Liberty street from the Union Depot to the Duquesne Depot", and insert in lieu thereof the words "remove all tracks from Liberty street from the Union Depot to the Duquesne Depot", on line 42.

Which on a division of the vote, being had, did not prevail. Ayes 9, noes 16.

And the bill was read a third time.

Mr. Rea [by leave] moved

To amend by striking out the words "eight A. M. and five P. M." and insert in lieu thereof the words "five A. M. and eleven P. M.," on line fifty.

Which was not agreed to.

Mr. Aull moved

The final passage of the bill.

Which was agreed to.

And on the question "Shall the bill pass finally", the ayes and noes were taken agreeably to law, and were,

Ayes—Messrs. Aull, Bigham, French, Kinzer, Kemier, McClarran (R. M.), McClarran (Newton) McKinley, Rahausser, Schwarm, Thomson, Wainwright, Negley, President—13.

Noes—Messrs. Belfore, Blume, Egan, Fennerty, Foley, Gallisath, Hanlon, Hogle, Johnston, Kohne, McCafferty, O'Donnell, Pier, Rea, Schuman, Young—16.

And a majority of the votes not being in the affirmative, the bill did not pass.

On motion Council adjourned,

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

VOL. 10. MONDAY, OCTOBER 29, 1877. NO. 32.

Municipal Record.

SELECT COUNCIL.

DAVID AIKEN, JR.....PRESIDENT.
E. S. MORROW.....CLERK.

PITTSBURGH, October 29th 1877.

Council met.

Present—Messrs. Ahl, Atkinson, Barclay, Bradley, Bruce, Chambers, Costillo, Dannals, Duff, Foster (Alex. W.), Foster (W. S.), Fullerton, Garrison, Gray, Hays, Herron, Hoch, Holliday, Kennedy, Kernan, Kerr, Lagerman, Lambie, Littell, Meyer, Moore (W. J.) McCandless, McCurg, McKinlev, Negley, Nisbett, Noble, Nusser, O'Donnell, Owens, Patterson, Reiman, Rodgers, Shipton, Sorg, Sterling, Taylor, Weigand, Watson, Welsh. Aiken, President.

Absent—Messrs. Baum, Boyd, Brown (L. T.), Brown (Sam'l S.), Buckley, Burns, Darlington, Evans, Felker, Flannery, Fox, Gourley, Holmes, Kelly, Lappan, Miller, Moore (Wm.) MacConnell, Nantker, O'Neil, Powers, Rolfe, Schild, Schwarm.

The minutes of the meetings of June 30th and July 10th were read and approved.

Mr. Bruce moved.

That the further reading of the minutes be postponed.

Which motion prevailed.

The President presented.

Certificates from B. F. Kennedy, Prothonotary of the Court of Common Pleas No. 1, in and for the County of Allegheny certifying to the election of

[425] Martin Fagin from the Twenty-seventh ward, for the unexpired term of P. M. Carr, resigned.

[426] Charles Hilger from the Fifteenth ward, for the unexpired term of J. H. Sawyer deceased.

Which were read and approved.

And Messrs. Fagin and Hilger being present, took the oath of office which was administered by the President.

The President presented.

[427] Petition of Andy Eckel for exoneration from personal tax, in the Twentieth ward on the ground of old age.

Which was referred to Committee on Appeals from City Assessments.

Mr. Weigand,

Petitions for exoneration of business tax, as follows:

[428] Chas. F. Nammacher,

[429] William McC. Dravo,

[430] Ann O'Toole,

Which were referred to Finance Committee.

Mr. Shipton.

[431] Petition of Jane Hamilton for a reduction of valuation on property on Third avenue.

Which was referred to the Board of Assessors.

Mr. Herron,

[432] An ordinance providing for the election of a master for the Allegheny wharf, defining his duties and fixing his salary.

Which was referred to the Committee on Allegheny wharf.

Mr. Barclay.

[433] A petition for the erection of three public gas lamps on Keatings alley.

Which was referred to the Committee on Gas Lighting.

Mr. Costillo,

[434] Petition of Michael Henry for refunding overpaid water rent.

Which was referred to the Committee on Finance.

Mr. Welsh,

[435] An ordinance granting Messrs. James McNeil & Bro., boiler manufacturers, the privilege of erecting a two story iron clad building, to be used as a work shop, on Spruce alley and Twenty-ninth street.

Which was referred to the Committee on Wooden Buildings.

Mr. Sterling,

[436] A petition for the laying of water mains on Clay alley, Thirteenth ward.

Which was referred to the Water Committee.

ALSO,

[437] Petition of R. Parker for abatement of taxes in the Thirteenth ward.

Which was referred to the Board of Assessors.

ALSO,

[438] Dedication of Millwood avenue Thirteenth ward, from Thirty-third street to Mrs. Denny's property.

Which was read, accepted and ordered to be filed.

Mr. O'Donnell,

[439] Petition of Peter Huber for exoneration of overassessed business tax.

Which was read and accepted.

ALSO,

[440] Resolved, by the Select and Common Councils that the business tax of Peter Huber, saloon keeper doing business on Penn avenue, Fifteenth ward, be reduced to fifteen dollars.

Which was read, and the rule having been suspended, the resolution was read a second and third time and finally passed.

ALSO,

[441] *Resolved*, by the Select and Common Councils of the City of Pittsburgh, that the water tax assessed and collected from Philip Drum of the Fifteenth ward be refunded.

Which was referred to the Committee on Water.

Mr. Watson,

[442] WHEREAS, There is a large amount of money due Martin Joyce from the City of Pittsburgh, on account of balances due on contracts completed by him, from one to four years ago, and,

WHEREAS, For some reason or other the City Attorney has failed to collect said moneys due on said contracts, and it being doubtful whether said amounts will ever be collected, therefore,

Resolved, That the City Controller be and he is hereby authorized and directed to issue his certificate on the Mayor for a warrant in favor of Martin Joyce, for balances due on contracts as follows.

SEWERS.

School alley (completed four years).....	\$613 50
Wilson & Elm sts. (comp'd three years) 219 99	
Spring alley (completed four years).....	622 44
Penn avenue (completed four years).....	15 84
Spring alley (completed four years).....	6 06
Washington st. (completed one year).....	91 08
Boyd & Watson sts. (comp'd three y'rs) 100 59	
Washington st. (completed one year).....	832 84
Clark alley (completed two years).....	236 92
Thirty-eighth st. (completed two years) 445 67	
Eleventh street (completed one year)...	44 46

\$3221 89

And charge the same to the Contingent Fund.

Which was read and referred to the Committee on Finance.

Mr. MacConnell,

[443] Petition for the erection of a lamppost corner of Beatty and Rippey streets.

Which was referred to the Committee on Gas Lighting

Mr. Bruce,

Petitions for reduction of business tax.

[444] W. H. Irwin,

[445] Michael Gisal.

Which was referred to the Committee on Finance.

Mr. Littell,

Petitions for the reduction of business tax.

[446] J. W. Clark,

[447] E. K. Kunz,

[448] Homestead Bank and Insurance

Co.

Which were referred to the Committee on Finance.

Mr. Nusser,

[449] Petition for the erection of public gas lamps on Manor street.

Which was referred to the Committee on Gas Lighting.

ALSO,

[450] Petition for the opening of Mt. Oliver street between Plane street and Brownsville avenue.

Which was referred to the Street Committee.

Mr. Fagin,

[451] Petition of Margaretha Pfecker, for an exoneration of taxes.

Which was referred to the Committee on Appeals from City Assessments.

Mr. Kerr,

[452] Petition for the erection of a public gas lamp on the corner of Fifteenth and Neville streets, South Side.

Which was referred to the Committee on Gas Lighting.

ALSO,

[453] *Resolved*, That the City Controller be and he is hereby authorized and directed to issue his certificate on the Mayor for a warrant in favor of Samuel B. Cooper for seventeen dollars and seventy-five cents (\$17.-75) for payment of postage as per bill rendered and charge the same to Appropriation No. 3.

Which was read and the rule having been suspended the resolution was read a second and third times and agreed to and finally passed.

Mr. Chambers,

[454] Petition of M. A. Fisher for an abatement of business tax.

Which was referred to the Finance Committee.

Mr. Nesbitt,

[455] Petition of Christian Myers for a reduction of valuation on property in the Thirty-first ward.

Which was referred to the Board of Assessors.

Mr. Noble,

[456] *Resolved*, That the Board of Fire Commissioners be and are hereby ordered and directed to place five hundred feet of hose at the engine house of Monongahela Incline Plane, Thirty-second ward. Said hose to be used by the residents of the Thirty-second ward in case of fires.

Which was read and passed.

Mr. Shipton,

[457] *Resolved*, That owing to the insufficiency of the necessary funds to meet the current expenses that all warrants issued or to be issued during the fiscal year 1877 be stamped "payable not later than April 20th, 1878."

Which was read.

Mr. Lambie moved,

To postpone action on the resolution until next meeting.

Which motion prevailed.

Mr. Shipton,

[458] A report from the Finance Committee covering and recommending the passage of a resolution for a warrant in favor of Martin Joyce.

Which was read and accepted.

ALSO, from the same Committee,

[459] *Resolved*, That the City Controller be and he is hereby authorized to issue his certificate on the Mayor for a warrant in favor of M. Joyce to the amount of one hundred and thirty-one dollars and fifty cents on account of Commissioner's fees for taking testimony on the opening of School alley and charge the same to the Contingent Fund.

Which was read and the rule having been suspended the resolution was read a second and third times and agreed to, and finally passed.

Mr. Noble called up,

C. C. Bill No. 278, an ordinance, entitled "An ordinance granting the Central Elevator Company right to erect a wooden building."

In S. C. October 8th, amended, and as amended read a second time and agreed to.

Which was read a third time and agreed to.

And on the question "Shall the bill pass finally," the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Ahl, Barekley, Bradley, Bruce, Costillo, Dannals, Foster (Alex. W.), Fullerton, Garrison, Gray, Hays, Herron, Kennedy, Lambie, Littell, Meyer, Moore (W. J.), McCandless, MacConnell, McClurg, McKinley, Negley, Noble, Nusser, O'Donnell, Owens, Rodgers, Hilger, Shipton, Sorg, Sterling, Taylor, Weigand, Watson, Aiken, President—35.

Noes—Messrs. Kernau, Nisbett, Reiman—3. And a majority of the votes of Select Council not being in the affirmative, the bill did not pass finally.

Mr. **Littell**, by leave,

[460] An ordinance amending an ordinance entitled "An ordinance amending section five of an ordinance to provide for the safe keeping and custody of the funds of the city.

Which was referred to the Finance Committee.

Mr. **Shipton**, from the Committee on Gas Lighting.

[461] Resolved, That the Pittsburgh Gas Company be and they are hereby directed to erect public gas lamps at the following points:

Two on the east side of Grant street; one between Fifth avenue and Diamond street and one between Diamond street and Fourth avenue.

One on the corner of Enoch and Granville streets.

Two on Thirty-fifth street; one corner of Charlotte street and one on the corner of Lafayette alley.

And to remove the lamp on Seventh avenue opposite McCance's corner to a point further east on said street.

Which was read and the rule having been suspended the resolution was read a second and third time and agreed to and finally passed.

ALSO, from the same Committee,

[462] Resolved, That the East End Gas Company be and they are hereby authorized and directed to erect public gas lamps at the following points:

One on the corner of Heberton and Mary streets.

Three on Walnut street, Twentieth ward. One on Breckenbridge street, two hundred feet east of Cassiday's gate.

Which was read and the rules being suspended the resolution was read a second and third times and agreed to and finally passed.

ALSO, from the same Committee,

[463] Resolved, That the South Side Gas Co. be and they are hereby authorized and directed to erect a public gas lamp on the corner of Twenty-second street and Carey alley.

Which was read, and the rule having been suspended the resolution was read a second and third times and agreed to and finally passed.

ALSO, from the same Committee.

[464] Resolved, That the West Pittsburgh Gas Co. be and they are hereby authorized and directed to erect a public gas lamp on Washington street, Thirty-fifth ward.

Which was read and the rule having been suspended the resolution was read a second and third time and agreed to and finally passed.

No. 274 C. C. A report of the Board of Viewers of Street Improvements on the dam-

ages caused by the grading of Garden street from Forty-fourth street to Forty-fifth street. Which was read and approved.

S. C. Bill No. 83. An ordinance entitled "An ordinance fixing the salaries of certain City officers.

In S. C. October 8th, read a third time and agreed to.

Mr. **Nisbett** moved,

To lay the bill on the table.

Which motion did not prevail.

Mr. **Hayes** moved,

To postpone action on the bill until the next regular meeting.

Which motion prevailed.

Mr. **Lambie**, by leave,

[465] Resolved, That the Controller be directed to inform the Select Council at their next meeting the amount of moneys received into the City Treasury since the first of February, 1877, the amount of moneys received from each particular tax levy for the current year, together with a classified return of the amount of moneys received from all the various sources of revenue other than the tax levy, and what disposition has been made of the moneys received from the various sources of revenue for the present year to the date of the passage of this resolution and how much yet remains unexpended in each appropriation.

Which was read and passed.

The Clerk of Common Council having been introduced, reported the following papers, for concurrence.

No. 271 C. C. An ordinance entitled "An ordinance establishing the grade of Smallman street from Thirty-sixth street to an alley in the rear of the lots fronting Thirty-eighth street.

C. C. October 8th, passed finally.

296 C. C. A report from the Committee on Streets for September.

C. C. October 8th read and accepted.

Mr. **Lambie**, by leave called up,

C. C. Bill No. 157. An ordinance entitled "An ordinance authorizing the grading, paving and curbing of Cliff street from the east side of Cassatt street to Gum street.

Which was read once.

No. 275 C. C. A preliminary report of the Viewers of Street Improvements on the grading, paving and curbing of Cliff street from Cassatt street to Gum street.

Which was read and accepted.

Mr. **Lambie** moved,

That the rule be suspended to allow the third reading and final passage of the bill. Which motion prevailed.

And the rule having been suspended the bill was read a second time and agreed to.

And the title of the bill was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Atkinson, Barekley, Costillo, Dannals, Hays, Kennedy, Kernan, Kerr, Lambie, Littell, Meyer, Moore (W. J.), McClurg, McKinley, Negley, Nisbett, O'Donnell, Owens, Rodgers, Hilger, Shipton, Taylor, Weigand, Watson—25.

Noes—Messrs. Foster (Alex. W.), Nusser, Reiman, Sorg, Aiken, President—5.

And a majority of the votes of Select Council not being in the affirmative the bill did not pass finally.

Mr. **Kerr** by leave presented,

[466] Petition of W. H. Lemon for an abatement of business tax.
Which was referred to the Committee on Finance.
On motion Council adjourned.

COMMON COUNCIL.

W. B. NEGLEY.....PRESIDENT,
GEORGE BOOTH.....CLERK.

PITTSBURGH, October 29th, 1877.

Council met.

Present—Messrs. Aull, Belfore, Bigham, Dierst, Forsythe, Frauenheim, French, Fennerty, Foley, Gallisath, Higgins, Kinzer, Kemler, Kirchner, Kohne, Manning, McClarran (R. M.), McClarran (Newton), Nantker, Pier, Rahauser, Rea, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Weisser, Young, Negley,—President.

Absent—Messrs. Blume, Egan, Gallagher, Hanlon, Hogle, Johnston, McCafferty, McKinley, O'Donnell, Schuman, Schwarm.

On motion of Mr. **Foley** the reading of the minutes of the last meeting was dispensed with.

Mr. **Kinzer** presented,
[No. 299] Petition of Henry Haas for refunding of overpaid tax.

Which was referred to the Board of Assessors.

Mr. **Pier** presented,
[300] Petition of Sophia Stanton for abatement of Business tax.

Which was referred to the Committee on Finance.

Mr. **Fennerty** presented,
[301] Petition of James Allen for abatement and refunding of over-assessed and over-paid tax.

Which was referred to the Board of Assessors.

ALSO,
[302] Petition of John Orgill for exoneration from payment of taxes.

Which was referred to the Committee on Finance.

The Chair presented,
[303] Petition of John Davis for abatement of business tax.

Which was referred to Committee on Finance.

ALSO,

[304] Petition of the President and Directors of the Pittsburgh and Lake Erie Railroad Company for the privilege to enter upon, lay down and maintain railroad tracks, switches, &c. on the South Side.

Which was referred to the Committees on Railroads and Streets.

ALSO,

[305] Petition of business men asking Councils to grant right of way to the Pittsburgh and Lake Erie Railroad Company on the South Side.

Which was referred to the Committees on Railroads and Streets.

ALSO,

[306] Entitled "An Ordinance granting certain privileges to the Pittsburgh and Lake Erie Railroad Company".

Which was referred to the Committees on Railroads and Streets.

Mr. **Nantker** presented,

[307] Petition for two Gas lamps on Ninth street, Twenty-ninth ward.

Which was referred to the Committee on Gas Lighting.

Mr. **Aull** presented,

[308] Report of Viewers and Assessment for the grading, paving and curbing of Second avenue, from Cross street to Railroad crossing, at Glenwood.

Mr. **Thomson** moved

That action be postponed until the next meeting.

Which prevailed.

ALSO,

[309] Report of the Viewers and Assessment for the construction of a Sewer on Beech alley and Seneca street, from Gist street to Forbes street.

Which was approved.

ALSO,

[310] Report of viewers and assessment of the damages and benefits caused by the grading of Second avenue, from Cross street to Railroad crossing, at Glenwood.

Which was approved.

ALSO,

[311] Report of viewers and assessment of the damages and benefits caused by the grading of Brownsville and Washington avenues.

Mr. **Foley** presented,

[312] A remonstrance against the approval of report of viewers and assessment of the damages and benefits caused by the grading of Brownsville and Washington avenues.

And moved

That the report, together with the remonstrance, be referred back to the Board of Viewers.

Which prevailed.

Mr. **Thomson** presented,

[313] Preliminary report of Board of Viewers on the grading and paving of Exchange alley, from Evans alley to a point one hundred feet east of east side of Fourth street.

Which was read and received.

ALSO,

No. 264. C. C. An Ordinance entitled "An Ordinance authorizing the grading and paving of Exchange alley, from west side of Evans alley to a point one hundred feet east of east side of Fourth street."

In C. C., October 8th. Referred to Board of Viewers.

Which was read.

And on motion of Mr. **Thomson** the rule was suspended, to allow the consideration and final passage of the bill.

And the bill was read a second time, and the bill was read a third time, and agreed to.

And on the question "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Dierst, Frauenheim, French, Fennerty, Foley, Gallisath, Higgins, Kinzer, Kemler, Kirchner, Kohne, Manning, McClarran (R. M.), McClarran (Newton), Nantker, Pier, Rahauser, Rea, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Weisser, Young, Negley, President.—29.

Noes—0.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

ALSO,
[314] Preliminary report of the Board of Viewers on the grading of Basin alley from Elm street to Washington street.

Which was read and received.

ALSO,
No. 252, C. C. An Ordinance entitled "An Ordinance authorizing the grading of Basin alley from Elm street to Washington street."

In C. C., October 8th. Referred to Board of Viewers.

Which was read.

On motion of Mr. **Thomson** the rule was suspended to allow the consideration and final passage of the bill.

And the bill was read a second time.

And the bill was read a third time, and agreed to.

And on the question "shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were

Ayes—Messrs. Aull, Belfore, Bigham, Dierst, Frauenheim, French, Fennerty, Foley, Gallisath, Higgins, Kinzer, Kemler, Kirchner, Kohne, Manning, McClarran (R. M.), McClarran (Newton), Nantker, Pier, Rahausser, Rea, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Weisser, Young, Negley, President—29.

Noes—0.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also from the Street Committee affirmatively recommended.

No. 199 C. C. An Ordinance entitled "An Ordinance authorizing the grading and paving of Spring alley from Laurel avenue to Mary street."

Which was referred to the Board of Viewers.

Mr. **Aull** presented from the Committee on Surveys, recommended affirmatively.

No. 381, S. C. An Ordinance entitled "An Ordinance establishing the grade of Knox avenue, between Arlington avenue and City line."

Which was read.

On motion of Mr. **Aull** the rule was suspended to allow the consideration, third reading and final passage of the bill.

And the bill was read a second time.

And the bill was read a third time and agreed to.

And on the question "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Dierst, Frauenheim, French, Fennerty, Foley, Gallisath, Higgins, Kinzer, Kemler, Kirchner, Kohne, Manning, McClarran (R. M.), McClarran (Newton), Nantker, Pier, Rahausser, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Weisser, Young, Negley, President—28.

Noes—0.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, from the Committee on Surveys affirmatively recommended.

No. 205, C. C. An Ordinance entitled "An Ordinance fixing the grade of the north curb of Center avenue, from Hilland avenue to Neville street."

Which was read.

On motion of Mr. **Aull** the rule was suspended to allow the consideration and final passage of the bill.

And the bill was read a second time.

And the bill was read a third time, and agreed to.

And on the question "Shall the bill pass finally?", the ayes and noes were taken agreeably to law, and were.

Ayes—Messrs. Aull, Belfore, Bigham, Dierst, Frauenheim, French, Fennerty, Foley, Gallisath, Higgins, Kinzer, Kemler, Kirchner, Kohne, Manning, McClarran (R. M.), McClarran (Newton), Nantker, Pier, Rahausser, Rea, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Weisser, Young, Negley, President.

—29.

Noes—0.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

The Clerk of Select Council having been introduced, presented the following business for concurrence:

No. 414, S. C. Report from the Committee on Allegheny Wharf, for the month of September.

No. 416, S. C. Report from the Committee on Roads, for the month of September.

No. 417, S. C. Report from the Committee on Water, for the month of September.

Which, in S. C. October 8th. were read and accepted.

No. 408, S. C. The dedication of Sabina street between Frank street and Hazelwood avenue.

Which was read and accepted, and ordered to be filed.

Mr. **Aull**, from the Committee on Surveys, affirmatively recommended:

No. 203, C. C. An ordinance entitled "An ordinance establishing the grade of the east curb of Aiken avenue."

Which was read.

On motion of Mr. **Aull** the rule was suspended to allow the consideration and final passage of the bill.

And the bill was read a second time.

And the bill was read a third time, and agreed to.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Dierst, Forsythe, Frauenheim, French, Fennerty, Foley, Gallisath, Higgins, Kinzer, Kemler, Kirchner, Kohne, Manning, McClarran, (R. M.), McClarran, (N.), Nantker, Pier, Rahausser, Rea, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Weisser, Young, Negley, President—30.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

Also, from the Survey Committee affirmatively recommended:

No. 203, C. C. An ordinance, entitled "An ordinance locating Fetzter street from Bertha street to Kirkpatrick street."

Which was read.

On motion the rule was suspended to allow the consideration and final passage of the bill.

And the bill was read a second time.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Dierst, Forsythe, Frauenheim, French, Fennerty, Foley, Gallisath, Higgins, Kinzer, Kemler, Kirchner, Kohne, Manning, McClarran

(R. M.), McClarran (Newton), Nantker, Pier, Rahausser, Rea, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Weiser, Young, Negley, President—30.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

Also, from the Committee on Surveys, affirmatively recommended.

No. 223, C. C. An ordinance, entitled "An ordinance authorizing the location of Monroe street, from Webster avenue to Ridge street."

Which was read.

On motion of Mr. Aull, the rule was suspended to allow the consideration and final passage of the bill.

And the bill was read a second time.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Dierst, Forsythe, Fraunheim, French, Fennerty, Foley, Gallisath, Higgins, Klinzer, Kemler, Kirchner, Kohne, Manning, McClarran (R. M.), McClarran (Newton), Nantker, Pier, Rahausser, Rea, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Weisser, Young, Negley, President—30.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

Also, from the Survey Committee, affirmatively recommended:

No. 316, C. C. Plan of streets in parts of the 18th and 19th Wards.

Which was approved.

Also, from the Survey Committee, affirmatively recommended:

No. 317, C. C. Plan of streets in the 23d Ward.

Which was approved.

Mr. Manning presented, [318] Petition for the erection of public gas lamps on Chestnut and Vickroy streets.

Which was referred to the Committee on Gas Lighting.

Mr. Thomson presented,

[320] A report from the Committee on Police covering a statement of their expenditures for the month of September, amounting to \$8,256 15.

Which was read and received.

Mr. Aull presented,

[321] An Ordinance entitled "An Ordinance levying taxes, assessing water rents, and making appropriations for the year 1878."

Which was referred to the Committee on Finance.

Mr. Pier presented,

[322] Report from the Committee on City Printing covering a statement of their expenditures for the month of September, amounting to \$849 31.

Which was read and received.

Mr. Kemler presented the following special report from the Committee on Monongahela Wharf:

To the Select and Common Councils of the City of Pittsburgh.

GENTLEMEN:

Your Committee on Monongahela Wharf would respectfully call your attention to the following facts:

The unexpended balance in the North Side Wharf is.....\$ 91 60
The unexpended balance in the South Side Wharf is..... 374 35

Total amount of both funds.....\$465 95

The necessary expenses for the North Side Wharf (Salaries) are.....\$399 99

If a Master is elected for the South Side Wharf (Salaries)..... 174 99

Making a total of expenditures for the months of October, November and December of.....\$574 98

Which would make a deficit of.....\$109 03

Your Committee therefore would respectfully suggest, that in view of these facts, the election of South Side Wharf Master may be deferred for the present, and your Committee empowered to appoint a man at a small salary to assist the Wharfmaster.

Respectfully submitted,

P. FOLEY,
FRED. DIERST,
GEO. WAMHOFF,
JNO. W. KEMLEE,
JNO. BRADLEY,
THOS. J. BIGHAM.

Which was read and received.

Mr. Foley moved,

That the recommendation of the Committee be adopted.

Which prevailed.

Also,

[324] Report from the Committee on Monongahela Wharf, covering a statement of their receipts and expenditures for the month of September as follows:

RECEIPTS.

North Side.....\$296 66
South Side..... 169 60

EXPENDITURES.

North Side.....\$204 58
South Side..... 59 37

Which was read and received.

Mr. Gallisath (by leave) called up C. C. Bill, No. 245, entitled "An Ordinance authorizing certain changes to be made in the contract made between the City of Pittsburgh and the Pennsylvania Railroad Company, dated December 24th, A. D. 1872.

In C. C. October 8th, 1877. Read three times and failed to pass.

Which was read.

Mr. Gallisath moved,

To reconsider the action of October 8th and refer the bill back to the Street Committee for further consideration.

Which was agreed to.

Mr. Wainwright (by leave) called up S. C. Bill No. 324, entitled "An Ordinance granting Davis, Chambers & Co. right to erect a frame shed."

In S. C. July 30th. Passed finally.

In C. C. September 24th. Rule suspended.

Read a second time, and action postponed.

Which was read a third time, and agreed to.

And on the question "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were.

Ayes—Messrs. Aull, Belfore, Bigham, Dierst, Forsythe, Fraunheim, French, Fennerty, Foley, Gallisath, Higgins, Klinzer, Kemler, Kirchner, Kohne, Manning, McClarran, (R. M.) McClarran, (Newton) Nantker, Pier, Rahausser, Rea, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Weisser, Young.

Negley, President.—30.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

BUSINESS FROM SELECT COUNCIL.

No. 418, S. C. Report from the Water Committee covering award of contracts for laying 36 inch water main on Liberty street, and furnishing branch pipes, &c.

In S. C. October 8th, read and approved,

In which action C. C. concurred.

No. 413, S. C. Resolution authorizing the Controller to issue one hundred thousand dollars worth of bonds, as authorized by Act of Assembly, passed March —, 1877, and place the proceeds to the credit of the Water Extension Fund.

In S. C. October 8th, passed finally.

Which, the rule having been suspended, was read three times and finally passed.

Nos. 375 and 376, S. C. Petition of and resolution, granting James Ginniff privilege to finish with sheet iron, a frame shed erected by him, corner of Logan and Wilson streets.

In S. C. September 24th. Petition accepted and resolution passed.

Which was read.

Mr. Higgins moved,

To refer the petition and resolution to the Committee on Wooden Buildings.

Which prevailed.

No. [364], S. C. Resolution for the removal of a public gas lamp by the East End Gas Company.

In S. C., September 10th. Passed finally.

In which action C. C. concurred.

No. 415, S. C. Resolution for Joint Session for the purpose of electing a South Side Wharf Master.

In S. C., October 8th. Passed finally.

Which was read,

And on motion of **Mr. Foley** was laid on the table.

No. 408, S. C. Communication from Frank Kohne, Esq., dedicating to public use forever the ground for Sabina street, from Hazelwood avenue to Frank street, Twenty-third ward.

In S. C. October 8th. Read and accepted.

In which action C. C. concurred.

No. 417. Report of the Water Committee for September.

In S. C., October 8th. Read and accepted.

In which action C. C. concurred.

No. 414 S. C. Report from Committee on Allegheny Wharf for September.

In S. C., October 8th. Read and accepted.

No. 416, S. C. Report of the Committee on Roads for September.

In S. C., October 8th. Read and accepted.

In which action C. C. concurred.

UNFINISHED BUSINESS OF COMMON COUNCIL.

No. 371 S. C. Resolution for the appointment of a Special Committee of five to investigate the acts of the Commissioners for the improvement of Forbes street, from Soho to Shady lane, and Soho street, from Fifth avenue to Centre avenue.

In S. C. September 10th, passed finally.

C. C. September 24th, action postponed.

Which was read and the action of S. C. was concurred in.

No. 339 S. C. Resolution for warrants in favor of John Parkinson for \$250.00, B. McTiernan \$500.00, and E. Wormser \$400.00, in payment for damages caused by the grading of Sylvan avenue.

In S. C., July 9th, 1877. Passed finally.

In C. C., September 24th. Rule suspended, read a second time, and action postponed until the next meeting.

Which was read.

Mr. Foley moved,

To non-concur in the action of S. C.

Which on a division of the vote being had, the ayes were 13, and the noes were 12.

So the motion prevailed.

No. 186, C. C. Resolution for a warrant in favor of the City Treasurer for \$1,103.44 in payment of assessment against the City for Coral and Rebecca streets sewer.

In C. C. June 25th, failed to pass.

Which was read.

Mr. Thomson moved

The passage of the resolution.

On which a division was had and the ayes were 11 and the noes were 11.

So the motion did not prevail.

No. 205 S. C. An Ordinance entitled "An Ordinance Amending City Code, Title" Buildings, Section 17.

In S. C. May 14th, passed finally.

In C. C. May 28th, action postponed.

Which was read.

Mr. Negley (Mr. Aull in the chair) moved,

That action be postponed until the next meeting.

Which prevailed.

Mr. Negley presented the following:

No. 325. Resolved—That a Committee of five be appointed for the purpose of enquiring into the feasibility of funding the City indebtedness, at a lower rate of interest, and what additional legislation, if any, may be necessary for the purpose.

Which was read, and passed finally.

And Messrs. **Negley, Thomson** and **Big-ham** were appointed on behalf of C. C.

Mr. Pier called up,

No. 136, C. C. An Ordinance entitled "An Ordinance Amending Sections 1, 3, 4 and 15 of an Ordinance entitled "An Ordinance amending the City Code title "Markets," passed November 27th, A. D. 1876.

In C. C., May 14th. Read a second time.

Which was read.

Mr. French moved,

To amend the bill by striking out from section 15 the words "appropriate one-third thereof to his own use, and two-thirds to the use of the Guardians of the Poor of the City", and insert in lieu thereof the words: "appropriate it to the use of the Guardians of the Poor of the City."

Which motion prevailed.

And the bill was so amended.

Mr. Thomson presented,

[326]. Report of the Assessors of the resident taxables of the several wards of the City of Pittsburgh for apportionment of members of Common Councils.

Which was read and received.

Mr. Thomson moved,

The appointment of a Special Committee of three from Common and two from Select Councils to apportion members of Common Council.

Which prevailed.

And Messrs. **Thomson, Aull** and **Big-ham** were appointed on part of C. C.

Mr. Thomson presented,

[327] Petition of Kingsbacher & Bro. for abatement of business tax.

Which was referred to the Committee on Finance.

Mr. Fennerty presented, recommended affirmatively by the Board of Assessors.

[328] Resolved, That the City Controller be and he is hereby authorized and directed to issue his certificate on the Mayor for a warrant in favor of A. B. Boal for the refunding of overpaid taxes, amounting to sixteen dollars and twenty cents, and charge the same to the Contingent fund.

Which, the rule having been suspended, was read three times, and finally passed.

Mr. **Bigham** presented the following:

[329]. Whereas, The case of Bidwell, plaintiff in error, vs. the City of Pittsburgh, defendant in error, but plaintiff below, involving the validity of the Penn Avenue Assessments, is about being argued in the Supreme Court now in session, and the numerous defendants interested in this class of cases have a dozen of lawyers employed in their behalf, and

Whereas, The interests of the City, plaintiff below, are solely entrusted to David T. Watson, Esq., in connection with the City Solicitor.

Therefore, be it resolved by the Select and Common Councils of said City, That the sum of five hundred dollars is hereby appropriated to the said D. T. Watson, Esq., on account of the preparation and trial of the above case in

the Court below and the Supreme Court—this being regarded as a test case under said Penn Avenue Act.

Which was read.

Mr. **Foley** moved,

To amend the resolution, so as to authorize the City Attorney to employ D. T. Watson, Esq., to assist him in the preparation and trial of the above case, at an expense not to exceed the sum of five hundred dollars.

Which was accepted by Mr. **Bigham**.

And the resolution as amended was as follows:

"Resolved, By the Select and Common Council of the City of Pittsburgh, That the City Attorney be and he is hereby authorized and directed to employ D. T. Watson, Esq., to assist him in the preparation and trial of the case of Bidwell, plaintiff in error, vs. the City of Pittsburgh, defendant in error but plaintiff below, at an expense not to exceed the sum of five hundred dollars, including his services in the case in the Court below.

Which, the rule having been suspended, was read three times and finally passed,

Adjourned.

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

VOL. 10. MONDAY, NOVEMBER 12, 1877. NO. 33.

Municipal Record.

SELECT COUNCIL.

DAVID AIKEN, JR.....PRESIDENT.
E. S. MORROW.....CLERK.

PITTSBURGH, November 12th, 1877.

Council met.

Present—Messrs. Ahl, Baum, Boyd, Bradley, Brown (L. T.), Burns, Chambers, Daniels, Evans, Fagin, Foster (W. S.), Fox, Fullerton, Gray, Herron, Hilger, Holliday, Holmes, Kerr, Lambie, Lappan, Littell, Meyer, Miller, Moore (Wm.), Moore (W. J.), McCandless, MacConnell, McCurg, McKinlev, Negley, Nisbett, Noble, Nusser, O'Donnell, Owens, Patterson, Powers, Reiman, Rolfe, Schwarm, Shipton, Sorg, Sterling, Taylor, Weigand, Watson, Welsh, Aiken—President.

Absent—Messrs. Atkinson, Barckley, Brown (Sam'l S.), Bruce, Buckley, Costillo, Darling-ton, Duff, Felker, Flannery, Foster (Alex. W.), Garrison, Gourley, Hays, Hoch, Kelly, Kennedy, Kernan, Lagerman, Nantker, O'Neil, Rodgers, Schild.

The minutes of the meeting of July 30th were read and approved.

The clerk of Common Council having been introduced, reported the following business for concurrence.

No. 203. An ordinance entitled "An ordinance establishing the grade of the east curb of Aiken avenue."

C. C., October 29th, 1877. Passed.

No. 204. C. C. An ordinance entitled "An ordinance locating Fetzler street from Bertha street to Kirkpatrick street."

C. C. October 29th, 1877. Passed.

No. 205. C. C. An ordinance entitled "An ordinance fixing the grade of the north curb of Center avenue from Hiland avenue to Neville street."

C. C., October 29th, 1877. Passed.

No. 223. C. C. An ordinance entitled "An ordinance authorizing the location of Monroe street, from Webster avenue to Ridge street."

C. C., October 29th, 1877. Passed.

No. 252. An ordinance entitled "An ordinance authorizing the grading of Basin alley from Elm street to Washington street."

C. C., October 29th, 1877. Passed.

No. 264. C. C. An ordinance entitled "An ordinance authorizing the grading and paving of Exchange alley, from west side of Evans alley to a point one hundred feet east of east side of Fourth street."

C. C., October 29th, 1877. Passed.

No. 381. S. C. An ordinance entitled "An ordinance establishing the grade of Knox avenue, between Arlington avenue and the City line."

C. C., October 29th, 1877. Passed.

RESOLUTIONS.

No. 325. C. C. Resolution for the appointment of a Special Committee to enquire into the feasibility of funding the City's debt at a lower rate of interest.

C. C., October 29th, 1877. Passed.

No. 329. C. C. Resolution authorizing the City Attorney to employ D. T. Watson, Esq., to assist him in the preparation and trial in the case of Bidwell vs. the City of Pittsburgh, defendant in error but plaintiff below.

C. C., October 29th, 1877. Passed.

No. 328. C. C. Resolution for a warrant in favor of A. B. Boal for refunding of over-paid tax.

C. C., October 29th, 1877. Passed.

REPORTS OF COMMITTEES.

No. 323. C. C. Special report from the Committee on Monongahela Wharf recommending the postponement of the election of a South Side Wharf Master.

C. C., October 29th. Read, received and adopted.

No. 324. C. C. Report of Committee on Monongahela Wharf for September.

C. C., October 29th, 1877. Read and received.

No. 320. C. C. Report from the Committee on Police for September.

C. C., October 29th, 1877. Read and received.

No. 322. C. C. Report from the Committee on City Printing for September.

C. C., October 29th, 1877. Read and received.

REPORTS OF VIEWERS.

No. 310. C. C. Viewer's report on the damages and benefits caused by the grading of Second avenue, from Cross street to the Railroad Crossing, near Glenwood.

C. C., October 29th, 1877. Approved.

No. 309. C. C. Viewer's report on the construction of a Sewer on Beach alley and Seneca street, from Gist street to Forbes street.

C. C., October 29th, 1877. Approved.

STREET PLANS.

No. 316, C. C. Plan of streets in parts of the 18th and 19th wards.

C. C., October 29th, 1877. Approved.

No. 317, C. C. Plan of streets on Squirrel Hill, 23d ward.

C. C., October 29th, 1877. Approved.

ALSO announcing that Common Council had concurred in the action of Select Council on the following papers:

S. C., No. 324. An ordinance entitled "An ordinance granting Davis, Chambers & Co., the right to erect a frame shed."

In S. C. July 30th, 1877. Passed finally.

S. C., No. 418. Report from the Water Committee, covering award of contracts for laying 36-inch water main on Liberty street, and furnishing branch pipes, &c.

In S. C., October 8th, 1877. Read and approved.

S. C., No. 414. Report from the Committee on Allegheny Wharf for September.

In S. C., October 8th, 1877. Read and accepted.

S. C. No. 416. Report of the Committee on Roads for September.

In S. C., October 8th, 1877. Read and accepted.

S. C., No. 417. Report of the Water Committee for September.

In S. C., October 8th, 1877. Read and accepted.

S. C., No. 364. Resolution for the removal of a public gas lamp by the East End Gas Company.

In S. C., September 10th, 1877. Passed finally.

S. C., No. 413. Resolution authorizing the Controller to issue one hundred thousand dollars worth of bonds, as authorized by Act of Assembly, passed March — 1877, and place the proceeds to the credit of the Water Extension Fund.

In S. C., October 8th, 1877. Passed finally.

S. C., No. 408. Communication from Frank Kohne, Esq., dedicating to public use forever the ground for Sabina street, from Hazelwood avenue to Frank street, Twenty-third ward.

In S. C., October 8th, 1877. Read and accepted.

S. C., No. 371. Resolution for the appointment of a Special Committee of five to investigate the acts of the Commissioners for the Improvement of Forbes street, from Soho to Shady lane; and Soho street from Fifth avenue to Centre avenue.

In S. C., September 10, 1877. Passed finally.

And announced that Common Council had non-concurred in the action of Select Council had on the following papers:

S. C., No. 339. Resolution for warrants in favor of Jno. Parkinson for \$250, B. McTierman \$500, and E. Wormser \$400, in payment for damages caused by the grading of Sylvan avenue.

In S. C., July 9th, 1877. Passed finally.

S. C., Nos. 375 and 376. Petition of, and resolution granting Jas. Ginniff privilege to finish, with sheet iron, a frame shed, erected by him, corner of Logan and Wilson streets.

In S. C., September 24th, 1877. Petition accepted, and resolution passed.

Mr. **Littell** moved.

To dispense with the further reading of the minutes.

Which motion prevailed.

Mr. **Shipton** presented.

[467.] Petition of Joseph L. Stein for an abatement of business tax.

Which was referred to Committee on Finance.

Mr. **McCandless**,

[468.] Petition of Mrs. S. J. Craig for an exoneration of tax, assessed on property in the Seventh ward.

Which was referred to the Committee on Appeals.

ALSO,

[469.] The petition of Jno. Carey for the exoneration of taxes assessed against property in the Seventh ward.

Which was referred to the Committee on Appeals.

Mr. **Reiman**,

[470.] The petition of Christian King for an abatement of business tax.

Which was referred to the Finance Committee.

Mr. **Welsh**,

[471.] Petition for the erection of a public gas lamp at the corner of Twenty-sixth street and Railroad street.

Which was referred to the Committee on Gas Lighting.

ALSO,

[472.] Petition of Thos. Clark for an abatement of business tax.

Which was referred to the Committee on Finance.

Mr. **Aiken** (Mr. **McCandless** in the chair),

[473.] *Resolved*, That the Gas Committee be and they are hereby instructed to enquire into the expediency of removing public gas posts as follows, viz: one from the intersection of Grant, Washington and Liberty streets to a point near the North-east corner of where the grain elevator building was, and one from the Northwest corner of Liberty and Eleventh streets, to a point on the North side of Liberty street, opposite the East line of Washington street, or on Eleventh street, North of railroad tracks.

Which was referred to the Committee on Gas Lighting.

Mr. **Littell**,

[475.] Petition for the laying of Water pipes on Jackson street, Twenty-first ward.

Which was referred to the Water Committee.

Mr. **Evans**,

[476.] Petition of Joseph Gant for refunding assessment erroneously made for the grading of Sylvan avenue Extension.

Which was referred to the Committee on Roads.

Mr. **Patterson**,

[477.] *Resolved*, That the several Assessors of the wards of the City of Pittsburgh, who have made a return of the taxable inhabitants of their respective wards, in pursuance of the Act of Assembly relating thereto, shall be paid at the rate of two dollars per diem for every day actually engaged in said work, *provided, however*, that said assessors' account of said time shall be probated before the City Controller.

Resolved, That the City Controller be and he is hereby authorized and directed to certify for warrants on the Mayor in favor of the said assessors for their respective amounts and charge the same to contingent fund.

Which was referred to the Finance Committee.

ALSO,

[478.] Petition of Joseph Erny for the refunding of overpaid taxes.

Which was referred to the Board of Assessors.

Mr. Kerr, [479] Resolved, That the City Controller be and he is hereby authorized to issue his certificate on the Mayor for a warrant in favor of W. H. Lemon to the amount of eighty-one dollars for overpaid taxes and charge the same to the contingent fund.

Which was read and the rule having been suspended the resolution was read a second and third time, and agreed to and finally passed.

Mr. Shipton, [489.] An ordinance extending the time for the payment of the City moneys on deposit with the United Savings Bank.

Which was referred to the Finance Committee.

Mr. Shipton, from the Finance Committee. Affirmatively.

S. C., Bill No. 460. An ordinance entitled an ordinance "supplementary to an ordinance entitled "An ordinance to provide for the safe-keeping and custody of the funds of the City."

Which was read.

Mr. Shipton moved,

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended the bill was read a second time and agreed to.

And the title was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Ahl, Baum, Boyd, Brown (L. T.), Burns, Chambers, Evans, Fagin, Foster (W. S.), Fox, Fullerton, Gray, Herron, Holliday, Holmes, Kerr, Lappan, Littell, Meyer, Miller, Moore (Wm.), Moore (W. J.), McCandless, McClurg, McKinley, Negley, Noble, Nussler, O'Donnell, Owens, Patterson, Hilger, Schwarm, Shipton, Taylor, Watson, Welsh, Aiken, President—38.

Noes—Messrs. Dannals, Lambie, MacConnell, Powers, Reiman, Sterling, Weigand—7.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

The President,

[481.] The following statement from the Controller in answer to Select Council Resolution No. 465.

PITTSBURGH, Nov, 12, 1877.

To the Select Council:

GENTLEMEN:

I have the honor herewith to submit the following report, as called for by "Resolution No. 465" of your honorable body.

Respectfully,

R. M. SNODGRASS,
Controller.

Classified statement of the amount of moneys received into the City Treasury since February, 1877, also the amount of money received from each particular Tax levy for the current year.

RECEIPTS.

Diamond Markets.....	\$ 24,529 16
Fifth Ward Market.....	397 35
Fifth Avenue Market.....	1,150 72
South Side Market.....	3,645 39
Street Engineering.....	1,320 64
City Weigh Scales.....	1,402 40
Monongahela Wharf.....	6,551 10

Allegheny Wharf.....	2,272 87
South Side Wharf.....	1,125 18
Interest—Bank Balances.....	4,163 78
Building Inspection.....	1,038 50
City Guaging.....	1,324 89
Lot Regulating.....	5 00
Weighing Coal—Private Scales....	376 00
City Tax, 1877.....	308,465 25
Water Works Interest Tax, 1877....	138,807 91
Fire Tax, 1877.....	100,261 28
Sinking Fund Tax, 1877.....	77,113 81
Old City Special, 1877.....	29,492 98
East Birmingham Special, 1877.....	8,805 56
Birmingham Special, 1877.....	2,476 39
Mt. Washington Special, 1877.....	685 06
Temperanceville Special, 1877.....	4,156 16
Business Tax, 1877.....	115,642 67
Water Tax, 1877.....	178,371 47
Outstanding Taxes, 1875.....	7,557 22
Outstanding Taxes, 1876.....	83,074 61
Streets, Grading and Paving.....	5,732 67
Alderman's Fines.....	56 00
Vehicle Licenses.....	24,999 25
Water Works.....	1,118 82
Mayor's Office, Hon. W. C. McCarthy.....	12,856 55
Water Rents, New Buildings.....	45 96
Street and Sewer Improvement Fund under 50 Per Cent. Ord.....	30,223 76
Streets, Improvement under Penn Avenue Act.....	44,705 35
Passenger Railways.....	300 00
Rents.....	110 80
Printing Ordinance.....	105 00
Old Property.....	2 00
Refunded Account.....	671 27
Board Measuring.....	7 71

Balance, February, 1877..... \$1,225,147 99
91,961 52

\$1,317,109 51

The disposition that has been made of the moneys received from the various sources of revenue for the present year to November 1st, 1877.

EXPENDITURES.

Interest.....	\$ 205,307 77
Salaries.....	20,399 81
Printing.....	4,112 92
Fire Department.....	100,988 03
Police.....	126,380 80
Water Works.....	72,437 45
Streets.....	63,003 63
Pittsburgh Gas Co.....	11,641 96
Diamond Markets.....	7,988 36
Monongahela Wharf.....	1,908 48
Allegheny Wharf.....	555 03
Weigh Scales.....	267 75
Contingent Fund.....	16,997 73
Board of Health.....	9,000 00
East End Gas Co.....	6,749 73
City Property.....	2,407 64
Finance Fund.....	12,664 70
Sinking Fund, Transferred to Municipal Sinking Fund.....	84,500 00
City Hall Furnishing, Cleaning and Repairs.....	3,830 00
Roads.....	12,641 22
Water Extension.....	59,740 67
Water Extension, Loan Interest.....	294,707 07
Water Extension, Loan Sinking Fund.....	136,900 00
Special Sinking Fund.....	58,000 00
South Side Wharf.....	525 65
Equalization.....	8,277 78
South Side Gas Company.....	6,861 55
Fire Department, Loan Interest and Sinking Fund.....	14,000 00

West Pittsburgh Gas Company.....	4,542 32
Streets and Sewers, under 50 Per Cent. Ordinance.....	42,961 54
Borough Bonds Retired: East Birmingham.....	295 64
Borough Bonds Retired: Birmingham.....	4,594 03
Borough Bonds Retired: Temperanceville.....	6,309 67
	\$1,351,498 43
Balance, Outstanding Warrants, 1876.....	640 51
	\$1,852,138 94
Warrants paid.....	1,303,510 36

Warrants outstanding "unpaid"
November 1, 1877..... 48,628 58

BALANCES, APPROPRIATIONS, 1877.

Balances to Credit of the several Appropriations to November 1, 1877.

No.	APPROPRIATIONS.	Balances.
1.	Interest.....	38,639 74
2.	Salaries.....	9,890 69
3.	Printing.....	1,887 08
4.	Fire Department.....	32,164 62
5.	Police.....	23,619 20
6.	Water Works.....	17,562 55
7.	Streets.....	19,996 37
8.	Pittsburgh Gas Company.....	12,298 04
9.	Markets.....	2,511 64
10.	Monongahela Wharf.....	91 52
11.	Allegheny Wharf.....	194 97
12.	Weigh Scales.....	282 35
13.	Contingent Fund.....	2 27
14.	Board of Health.....	3,000 00
15.	East End Gas Company.....	12,090 27
16.	City Property.....	1,592 36
18.	Finance Fund.....	1,268 30
21.	City Hall Cleaning &c.....	1,170 00
22.	Roads.....	2,358 78
24.	Water Extension.....	46,667 31
25.	Water Loan Interest.....	14,580 93
26.	Water Loan Sinking Fund.....	211,112 55
28.	Special Sinking Fund.....	320 82
29.	Lawrenceville Sinking Fund.....	4,845 80
32.	South Side.....	374 35
34.	Equalization.....	1,722 22
35.	South Side Gas Company.....	5,078 45
36.	Fire Department Loan, Interest and Sinking Fund.....	40,000 00
38.	West Pittsburgh Gas Company..	737 68
39.	Repairing Fund.....	6,000 00

Which was read and received.

Mr. **McCandless** moved,

To recall from the Mayor S. C. Resolution No. 413, authorizing the issue of one hundred thousand dollars worth of bonds, authorized by Act of Assembly, passed March 1877.

Which motion prevailed.

Mr. **Lappan** presented,

[482.] A report from the Committee on City Property, covering a statement of the expenditures for the month of October, \$790 00.

Which was read and accepted.

Mr. **Schwarm**,

[483.] A report from the Committee on Markets, covering a statement of the receipts and expenditures in that department for the month of October. Expenditures \$610 33, receipts \$4,566 26.

Which was read and accepted.

Mr. **Noble** from the Committee on Wooden Buildings.

Affirmatively as committed.

S. C. Bill No. 435. An ordinance enti-

tled "An ordinance granting to Messrs. Jas McNeill & Bro., Boiler Manufacturers, the privilege of erecting a two-storied iron clad building to be used as a work shop on Spruce alley and Twenty-ninth street, Twelfth ward.

Which was read once.

Mr. **Noble** moved,

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed,

And the rule having been suspended,

The bill was read a second time and agreed to.

And the title of the bill was read and agreed to.

And the bill was read a third time and agreed to.

And on the question "Shall the bill pass finally," the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Ahl, Baum, Bradley, Brown (L. T.), Burns, Chambers, Evans, Fagin, Foster (Alex. W.), Foster (W. S.), Fox, Gray, Herron, Hilger, Holliday, Holmes, Lambie, Lappan, Littell, Meyer, Moore (Wm.), Moore (W. J.), MacConnell, McClurg, McKinley, Negley, Noble, Nusser, O'Donnell, Owens, Patterson, Schwarm, Shipton, Sorg, Sterling, Taylor, Weigand, Watson, Welsh, Aiken, President—41.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. **Shipton**,

[484.] A report from the Committee on Gas Lighting showing the expenses for the month of October to have been \$3,65 28.

Which was read and accepted.

Mr. **MacConnell**, from the Road Committee.

Affirmatively as committed.

S. C. Bill No. 379. An ordinance entitled "An ordinance locating Wyandotte lane.

Which was read.

Mr. **MacConnell** moved,

To suspend the rule for the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended.

The bill was read a second time and agreed to.

And the title was read and agreed to,

And the bill was read a third time and agreed to.

And on the question "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Ahl, Baum, Bradley, Brown (L. T.), Chambers, Fagin, Foster (W. S.), Fox, Fullerton, Gray, Herron, Hilger, Holliday, Holmes, Kerr, Lappan, Meyer, Miller, Moore (Wm.), Moore (W. J.), McCandless, MacConnell, McClurg, McKinley, Negley, Noble, Nusser, O'Donnell, Owens, Patterson, Powers, Reiman, Schwarm, Shipton, Sterling, Taylor, Weigand, Watson, Welsh, Aiken, President—40.

Noes—None.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Mr. **Patterson**, by leave, called up,

S. C. bill, No. 381. An ordinance entitled "An ordinance establishing the grade of Knox avenue, between Arlington avenue and the City line.

Which was read.

Mr. Patterson moved,
That the rule be suspended to allow the third reading and final passage of the bill.
Which motion prevailed.

And the rule having been suspended the bill was read a second time and agreed to.

And the title of the bill was read and agreed to.

Mr. Patterson moved,
That the bill be read a third time.
Which motion prevailed,
And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Baum, Bradley, Brown (L. T.), Burns, Carr, Chambers, Foster (W. S.), Fox, Fullerton, Gray, Herron, Hilger, Holliday, Holmes, Kerr, Lappan, Littell, Meyer, Miller, Moore (Wm.), Moore (W. J.), McCandless, McClurg, McKinley, Negley, Noble, Nusser, O'Donnell, Owens, Patterson, Shipton, Sorg, Sterling, Taylor, Weigand, Watson, Welsh, Aiken, President—39.

Noes—None.
And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Mr. Shipton called up,
C. C. bill, No. 273. An ordinance entitled "An ordinance granting the Central Elevator Company the right to erect a wooden building.

And on the question "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Baum, Bradley, Brown (L. T.), Burns, Chambers, Dannals, Foster (W. S.), Fox, Gray, Herron, Hilger, Holliday, Holmes, Kerr, Lambie, Littell, Meyer, Miller, Moore (Wm.), Moore (W. J.), McCandless, MacConnell, McClurg, McKinley, Negley, Nisbett, Noble, Nusser, O'Donnell, Owens, Patterson, Powers, Reiman, Shipton, Sorg, Sterling, Taylor, Weigand, Watson, Welsh, Aiken, President—42.

Noes—Mr. Fagin—1.
And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Mr. Powers called up,
S. C. bill, No. 83. An ordinance entitled "An ordinance fixing the salaries of certain City officers.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Baum, Bradley, Burns, Chambers, Dannals, Evans, Fagin, Foster (W. S.), Gray, Herron, Hilger, Holliday, Holmes, Kerr, Lappan, Miller, Moore (Wm.), Moore (W. J.), McCandless, MacConnell, Nusser, O'Donnell, Owens, Powers, Reiman, Shipton, Sorg, Sterling, Weigand, Welsh, Aiken, President—31.

Noes—Messrs. Ahl, Brown (L. T.), Fox, McClurg, Negley, Taylor, Watson—7.

And a majority of the votes of Select Council not being in the affirmative the bill did not pass finally.

Mr. Powers moved,
That the consideration of S. C. bill, No. 83, An ordinance entitled "An ordinance fixing the salaries of certain City officers" be made the special order of the day for next regular meeting at three o'clock, P. M.

Which motion prevailed,
Mr. Littell called up,

C. C., No. 340. A resolution instructing the Water Committee to have laid on Jackson street, Twenty-first ward, a six-inch water pipe.

In C. C., November 12th, read a third time and finally passed.

Mr. Littell moved,
To concur in the action of Common Council.

Which motion prevailed.
Mr. W. S. Foster, by leave, called up.
C. C., No. 270. A resolution for the investigation of the Fire Commission.

In C. C., September 24th, 1877, read and passed.

Mr. Foster moved,
To concur in the action of Common Council.

Which motion prevailed.
Mr. Littell called up,
C. C. bill, No. 203. An ordinance entitled "An ordinance establishing the grade of the east curb of Aiken avenue.

Which was read.
Mr. Littell moved,
To suspend the rule to allow the third reading and final passage of the bill.

Which motion prevailed.
And the rule having been suspended the bill was read a second time and agreed to.
And the title was read and agreed to.

Mr. Littell moved,
The third reading of the bill.
Which motion prevailed.
And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Baum, Bradley, Brown, (L. T.), Burns, Chambers, Dannals, Evans, Fagin, Foster (W. S.), Fox, Fullerton, Gray, Herron, Hilger, Holliday, Holmes, Kerr, Lambie, Lappan, Littell, Miller, Moore, (Wm.), Moore (W. J.), McCandless, MacConnell, Negley, Nusser, O'Donnell, Owens, Powers, Shipton, Sorg, Taylor, Weigand, Watson, Welsh, Aiken, President—38.

Noes—None.
And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Mr. Littell called up,
C. C. bill, No. 205. An ordinance entitled "An ordinance fixing the grade of the North curb of Centre avenue from Hiland avenue to Neville street.

Which was read once.
Mr. Littell moved,

That the rule be suspended to allow the third reading and final passage of the bill.
Which motion prevailed.

And the rule having been suspended the bill was read a second time and agreed to.
And the title was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Bradley, Brown, (L. T.), Burns, Chambers, Dannals, Evans, Fagin, Foster (W. S.), Fox, Fullerton, Gray, Herron, Hilger, Holliday, Holmes, Kerr, Lambie, Littell, Miller, Moore (Wm.), Moore (W. J.), McCandless, McKinley, Negley, Nusser, O'Donnell, Owens, Powers, Shipton, Sorg, Taylor, Weigand, Watson, Welsh, Aiken, President—36.

On which motion a division was had and there were twenty-four ayes and eleven noes. So the motion prevailed, And Council adjourned,

[334] An ordinance entitled "An ordinance amending sections thirteen and fourteen of an ordinance entitled 'An ordinance regulating the manner of letting the public

S. C. No. 438. Dedication of Millwood
avenue.

S. C. No. 439. Petition of Peter Huber for reduction of business tax.

S. C. 458. A report from the Finance Committee covering and recommending the passage of a resolution for a warrant in favor of Martin Joyce.

Which were severally read and accepted.

S. C. No. 453. Resolution for a warrant in favor of S. B. Cooper.

S. C. No. 464. Resolution for the erection of public gas lamps by the West Pittsburgh Gas Company.

S. C. No. 463. Resolution for the erection of public gas lamps by the South Side Gas Company.

S. C. No. 462. Resolution authorizing the erection of public gas lamps by the East End Gas Company.

S. C. 464. Resolution for erection of public gas lamps by the Pittsburgh Gas Company.

S. C. No. 452. Resolution directing the Fire Commission to place 500 feet of hose in the incline plane depot in the Thirty-second ward.

S. C. No. 459. Resolution for a warrant in favor of Martin Joyce.

S. C. No. 440. Resolution for the abatement of the business tax of Peter Huber.

Which were read three times and severally passed.

Mr. **Thomson** presented from the Street Committee, recommended affirmatively,

[245 C. C.] An ordinance entitled "An ordinance authorizing certain changes to be made in the contract made between the City of Pittsburgh and the Pennsylvania Railroad Company dated December 24th, 1872."

Which was read.

Mr. **Thomson** moved,

The final passage of the bill.

Which was agreed to.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Bigham, Dierst, French, Gallisath, Higgins, Kinzer, Kemler, Kirchner, Manning, McClarran (R. M.), McKinley, Nantker, Rahauser, Thomson, Wainwright, Weisser, Negley, President—18.

Noes—Messrs. Belfore, Doyle, Egan, Forsythe, Fennerty, Foley, Hogle, Johnston, Kohn, Pier, Rea, Renziehausen, Voskamp, Walker, Wamhoff, Young—16.

And a majority of the votes of Common Council not being in the affirmative, the bill did not pass finally.

Also, from the Street Committee the following:

[346] *Resolved*, That it is the positive expression of the Street Committee, that Shingiss street from Locust street to Bluff street, should be graded in order to save damages that will certainly ensue if there is not some provision made for the flow of water from Bluff street."

Passed by the Street Committee October 12, 1877.

Which was read and received.

Also,

[347] An ordinance entitled "An ordinance authorizing the grading and paving of Woolslairs alley from John street to Iron City Park.

Which was referred to the Committee on Streets and the Board of Viewers.

Also from the Street Committee affirmatively recommended.

No. 298 C. C. An ordinance entitled

"An ordinance authorizing the assessment of the damages and benefits caused by the grading of Bluff street from Shingiss street to Marion street.

Which was read.

Mr. **Thomson** moved

That the rule be suspended to allow the consideration, third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended the bill was read a second time and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Doyle, Dierst, Egan, Forsythe, French, Fennerty, Foley, Gallisath, Higgins, Hogle, Johnston, Kinzer, Kemler, Kirchner, Kohn, Manning, McClarran (R. M.), McKinley, Nantker, Pier, Rahauser, Rea, Renziehausen, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Weisser, Young, Negley, President—34.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

Also, from the Committee on Streets, affirmatively recommended.

No. 299 C. C. An ordinance entitled "An ordinance authorizing the opening of Arch street from Cassatt to Ledlie street

Which was referred to the Board of Viewers.

Also, from the Committee on Streets, recommended affirmatively,

No. 297 C. C. An ordinance entitled "An ordinance authorizing the construction of a sewer on Second avenue from Market street to Wood street.

Which was referred to the Board of Viewers.

Also, from the Street Committee affirmatively recommended,

No. 295 C. C. An ordinance entitled "An ordinance authorizing the opening of Woodville avenue from Washington Pike to Shalersville.

Which was referred to the Board of Viewers.

Also, from the Committees on Railroads and Streets, recommended affirmatively,

No. 306 C. C. An ordinance entitled "An ordinance granting certain privileges to the Pittsburgh and Lake Erie Railroad Company."

Which was read.

And on motion of Mr. **Thomson** the rule was suspended to allow the consideration, second and third readings, and final passage of the bill.

And the bill was read a second time.

Mr. **Aull** moved,

To amend the bill by adding to the end of Section 9, the following:

"Provided, however, that should the Pittsburgh and Lake Erie Railroad Company lease, sell, or otherwise transfer their Railroad, then the rights of way and privileges hereby granted, shall forthwith and thereby be revoked and rescinded."

Which was read.

Mr. **Rea** moved,

To amend the amendment by adding the following:

"Provided, that the right of way to the Pittsburgh and Lake Erie Railroad shall be

for twenty-five years, and not transferable, and should the said Pittsburgh and Lake Erie R. R. sell, lease, or dispose of, in any manner their rail way line, then the right of way to said P. & L. E. R. R. within the City limits, shall be null and void, and so much of said rail road within the City limits shall become the property of said City of Pittsburgh.

The **Chair** ruled the paper "not in order" as not being properly an amendment to the amendment.

And the question recurring on the adoption of the amendment of **Mr. Aull**, the amendment was adopted.

And Section 9, as amended, was adopted.

Mr. Bigham moved.

To amend the bill by adding to the end of Section 7, the following:

"And further, that the said Pittsburgh and Lake Erie Rail Road Company shall grant the right and privilege to the Pittsburgh and Castle Shannon Rail Road Company to connect with and to lay down and maintain a third rail on their tracks within the limits of the South Side of the City of Pittsburgh; and shall also grant to said Pittsburgh and Castle Shannon Rail Road Company the right and privilege to run their freight, passenger and other trains over said tracks within said limits, subject, however, to the schedule times, rules and regulations for trains of the same class of the said Pittsburgh and Lake Erie Rail Road Company, upon such terms as shall be mutually agreed upon between the same companies, or as shall be fixed by arbitration in case of disagreement; each company choosing one arbitrator and they two a third, the award and decision of a majority of whom shall be final and binding upon both said companies."

Which was read.

Mr. Rea moved.

To amend the amendment by inserting the words "or any other," after the words "Castle Shannon Rail Road."

Which was not agreed to.

And the amendment offered by **Mr. Bigham** was adopted.

And Section 7, as amended was adopted.

And the bill, as amended was read a third time.

And the bill, as amended was agreed to.

And on the question "Shall the bill pass finally", the ayes and noes were taken agreeably to law, and were.

Ayes—Messrs. Aull, Belfore, Bigham, Doyle, Dierst, Egan, Forsythe, French, Fennerty, Foley, Higgins, Hogle, Johnston, Kinzer, Kemler, Kirchner, Kohne, Manning, McClarran (R. M.), McKinley, Nantker, Pier, Rahausen, Rea, Renziehausen, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Weisser, Young, Negley, President—33.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

Mr. Thomson presented.

[348] A preliminary report of the Board of Viewers of Street Improvements on the grading and paving of Spring alley from Laurel avenue to Mary street.

Which was read and received.

ALSO.

No. 199 C. C. An ordinance entitled "An ordinance authorizing the grading and paving of Spring alley from Laurel avenue to Mary street."

(Reported affirmatively by Street Commit-

tee October 29th.)

Which was read.

On motion of **Mr. Thomson** the rule was suspended to allow the consideration and final passage of the bill.

And the bill was read a second time.

And the bill was read a third time, and agreed to.

And on the question "shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were

Ayes—Messrs. Bigham, Doyle Dierst, Egan, Forsythe, French, Fennerty, Foley, Gallisath, Higgins, Hogle, Johnston, Kinzer, Kemler, Kirchner, Kohne, Manning, McClarran (R. M.) McKinley, Nantker, Pier, Rahausen, Rea, Renziehausen, Thomson, Voskamp, Walker, Wamhoff, Weisser, Young, Negley, President—31.

Noes—0.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally

ALSO.

[349] Report of the Viewers of Street Improvements on the construction of a sewer on Soho run from the culvert under Fifth avenue to the culvert under Forbes street.

Which was approved.

ALSO.

[350] A communication from the Board of Viewers of Street Improvements covering and returning without change, No. 311, C. C. "A report of the Viewers of Street Improvements on the damages and benefits caused by the grading of Brownsville and Washington avenues, from Carson street to the City line.

Which was read and received.

ALSO.

No. 311 C. C. A report of the Viewers of Street Improvements on the damages and benefits caused by the grading of Brownsville and Washington avenues from Carson street to the City line.

In C. C. October 29th, referred back to the Board of Viewers with a remonstrance.

Which was approved.

Mr. Thomson presented.

[351] A report from the Committee on Police covering a statement of their expenditures for the month of October, amounting to \$8604.61.

Which was read and received.

ALSO.

[352] A special report of the Committee on Police, covering the passage of a resolution for the payment of seven hundred and twenty-five dollars to the Continental Restaurant for meals furnished the Washington Infantry while in service during the July riots.

Which was read and received.

ALSO, from the Committee on Police recommended affirmatively, the following:

[352] Resolved, That the Controller be and he is hereby directed to certify on the Mayor for a warrant in favor of the Continental Restaurant for seven hundred and twenty-five dollars, for meals furnished to the Washington Infantry, during the riot of July, 1877, and charge the same to the contingent fund.

Which, the rule having been suspended, was read three times and finally passed.

Mr. Pier from the Committee on Retrenchment and Reform presented, recommended affirmatively, C. C. bill No. 354, An ordinance entitled "An ordinance creating a paid fire

department for the City of Pittsburgh, and fixing the pay of the fireman," as a substitute for S. C. bill No. 229, an ordinance entitled "An ordinance amending an ordinance entitled 'An ordinance creating a paid fire department for the City of Pittsburgh.'" Which was read.

Mr. Higgins from the Committee on Retrenchment and Reform, recommended affirmatively, presented as a minority report, S. C. 229. An ordinance entitled "An ordinance amending an ordinance entitled 'An ordinance creating a paid fire department for the City of Pittsburgh.'" Which was read.

Mr. Thomson moved, That further action on the bills be postponed until the next meeting. Which prevailed.

Mr. Kemler presented, [355] A report from the Committee on Monongahela Wharf, covering a statement of receipts and expenditures for the month of October, as follows:

RECEIPTS.

North Side.....\$422 01
South Side..... 625 82

EXPENDITURES.

North Side.....\$91 52
South Side..... 84 31

Which was read and received.

Mr. Pier presented, [356] A report from the Committee on Printing, covering a statement of expenditures for the month of October, amounting to \$310.67.

Which was read and received.

The Chair announced the following appointments to Committees:

James Renziehausen, to the Committees on City Property, Streets, Police and Finance, vice **John N. Neeb** resigned.

Henry Doyle, to the Committees on Wooden Buildings, Ordinances, and Monongahela Wharf.

The Clerk of Select Council having been introduced, reported the following papers for concurrence.

No. 479, S. C. Resolution authorizing a warrant in favor of W. H. Lemon for refunding of overpaid tax.

In S. C. November 12th, passed.

No. 474, S. C. Resolution for the removal of weigh scales from Liberty street to Eleventh street.

In S. C. November 12th, passed.

The following business from Select Council was taken up and action was had thereon as follows:

No. 458, S. C. Communication from the Finance Committee, covering and recommending the passage of a resolution for a warrant in favor of Martin Joyce on account of legal fees in the case of the School alley Sewer.

In S. C. October 29th, read and accepted.

In which action C. C. concurred.

No. 459, S. C. Resolution for a warrant in favor of Martin Joyce for the sum of \$131.50 on account of legal fees in the case of the School alley Sewer.

In S. C. October 29th, passed finally.

Which, the rule having been suspended, was read three times and finally passed.

No. 456 S. C. Resolution directing the Fire Commission to place five hundred feet of hose at the engine house of the Monongahela

Inclined Plane, for the use of the citizens of the Thirty-second ward in case of fire.

In S. C. October 29th, passed finally.

Which, the rule having been suspended, was read three times and passed.

No. 453 S. C. Resolution for a warrant in favor of S. B. Cooper for the sum of seventeen dollars and seventy five cents for postage.

In S. C. October 29th, passed finally.

Which, the rule having been suspended was read three times and finally passed.

No. 439 S. C. Petition of Peter Huber for abatement of business tax.

In S. C. October 29th, read and accepted.

No. 440 S. C. Resolution reducing the business tax of Peter Huber to fifteen dollars.

In S. C. October 29th, passed finally.

Mr. Thomson moved,

That the petition and resolution be referred to the Committee on Finance.

Which prevailed.

No. 438 S. C. Communication from the owners of property abutting on Millwood avenue (formerly Meyran avenue) Thirteenth ward, dedicating to public use forever the property for said Millwood avenue between Thirty-third street and the property of Mrs. Denny.

In S. C. October 29th, 1877, read, accepted and ordered to be filed.

In which action C. C. concurred.

No. 441 S. C. Resolution for the erection of public gas lamps by the Pittsburgh Gas Co.

In S. C. October 29th, passed finally.

Which, the rule having been suspended, was read three times and finally passed.

No. 462 S. C. Resolution for the erection of public gas lamps by the East End Gas Co.

In S. C., October 29th. Passed finally.

Which, the rule having been suspended, was read three times, and finally passed.

No. 463 S. C. Resolution for the erection of public gas lamps by the South Side Gas Co.

In S. C. October 29th 1877, passed finally.

Which, the rule having been suspended, was read three times and finally passed.

No. 464 S. C. Resolution for the erection of public gas lamps by the West Pittsburgh Gas Co.

In S. C. October 29th 1877, passed finally.

Which, the rule having been suspended, was read three times and finally passed.

No. 479, S. C. Resolution for a warrant in favor of W. H. Lemon for the sum of Eighty-one dollars for refunding overpaid tax.

In S. C. November 12th, 1877, passed finally.

Mr. Thomson moved,

To refer the resolution to the Committee on Finance.

Which prevailed.

No. 474 S. C. Resolution for the removal of the public weigh scales from Liberty street to Eleventh street.

In S. C. November 12th, 1877, passed finally.

Mr. Rea moved,

To amend the resolution by striking out the words "Eleventh street," and insert in lieu thereof the words "Tenth street."

Which prevailed.

Mr. Thomson moved,

To refer the resolution to the Committee on Finance.

Which prevailed.

UNFINISHED BUSINESS OF COMMON COUNCIL.

No. 136, C. C. An ordinance, entitled "An ordinance amending sections 1, 3, 4 and 15 of an ordinance, entitled 'An ordinance amending the City Code, title 'Markets,' " passed November 27th, A. D. 1876.

In C. C. October 16th, 1877, amended.

Which was read a third time and agreed to.

And on the question "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Bigham, Doyle, Dierst, Forsythe, French, Foley, Gallisath, Higgins, Johnston, Kinzer, Kemler, Kirchner, Kohn, Nantker, Pier, Rahauser, Rea, Renziehausen, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Weissner, Negley, President—25.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

Mr. **Thomson** (by leave) called up,

No. 262 C. C. An ordinance entitled "An ordinance authorizing the grading of Shingiss street from Locust street to Bluff street.

In C. C. October 8th, 1877, failed to pass.

Which was read.

And on the question "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were,

Ayes—Messrs. Aull, Bigham, Dierst, Forsythe, French, Gallisath, Johnston, Kemler, Kirchner, Kohn, Nantker, Pier, Rahauser, Renziehausen, Thomson, Wainwright, Negley, President—17.

Noes—Messrs. Kinzer, Voskamp, Wamhoff—3.

And a majority of the votes of Common Council not being in the affirmative, the bill failed to pass.

No. 308, C. C. Report of the Viewers and assessment for the grading, paving, and curbing of Second avenue from Cross street to the railroad crossing at Glennwood.

In C. C. October 29th, 1877, action postponed.

Mr. **Thomson** moved,

To postpone action until the next meeting.

Which prevailed.

No. 205, S. C. An ordinance, entitled "An ordinance amending City Code title 'Buildings,' section 17."

In S. C. May 14th, 1877 passed finally.

In C. C. October 29th, 1877, action postponed.

Which was read a third time and agreed to.

And on the question "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Doyle, Dierst, Egan, Forsythe, French, Foley, Gallisath, Hogle, Johnston, Kinzer, Kirchner, Nantker, Pier, Rea, Renziehausen, Thomson, Voskamp, Wainwright, Wamhoff, Weissner, Negley, President—22.

Noes—Mr. Higgins—1.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Mr. **Aull** presented,

[357] A resolution for the erection of four public gas lamps on the Lincoln avenue bridge.

Which was referred to the Committee on Gas Lighting.

Adjourned.

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

VOL. 10. MONDAY, NOVEMBER 26, 1877. NO. 34.

Municipal Record.

SELECT COUNCIL.

DAVID AIKEN, JR.....PRESIDENT.
E. S. MORROW.....CLERK.

PITTSBURGH, November 26th, 1877.

Council met.

Present—Messrs. Atkinson, Barclay, Baum, Bradley, Brown (L. T.), Bruce, Burns, Chambers, Costillo, Dannals, Darlington, Duff, Evans, Fagin, Foster, (Alex. W.) Foster, (W. S.) Fullerton, Garrison, Gourley, Gray, Hays, Herron, Hilger, Hoeh, Holliday, Kennedy, Kernan, Kerr, Lagerman, Lambie, Lappan, Littell, Meyer, Miller, Moore, (W. J.) McCandless, McCurg, McKinley, Nantker, Negley, Nisbett, Noble, Nusser, O'Donnell, O'Neil, Patterson, Powers, Rodgers, Shipton, Sorg, Sterling, Taylor, Weigand, Watson, Welsh, Aiken—President.

Absent—Messrs. Ahl, Boyd, Brown, (Sam'l S.) Buckley, Felker, Flannery, Fox, Holmes, Kelly, Moore, (Wm.) MacConnell, Owens, Reiman, Rolfe, Schild, Schwarm.

Mr. Herron moved.

To dispense with the reading of the minutes of September 10th.

Which motion prevailed.

The President presented the following:

[486].

To the President and Members of Select Council.

GENTLEMEN:—You are invited to attend the annual inspection of the Fire Department to take place on Thursday, 29th inst, at 10 o'clock, A. M., on Liberty, near Market streets.

Very Respectfully,

ALEX. PITCAIRN,
President.

Which was read and received.

Mr. Herron moved.

That the invitation be accepted.

Which motion prevailed.

Mr. Costillo,

[487]. Petition of James Freeland for an abatement of business tax.

Which was referred to the Finance Committee.

Mr. Sterling presented.

[488]. A petition for a street-crossing at the head of Dinwiddie street.

Which was referred to the Street Committee.

Mr. L. T. Brown,

[489]. Petition of William Rees for an

exoneration of taxes.

ALSO,

[490]. Petition of Francis Adams for an exoneration from the payment of taxes. Which was referred to the Committee on Appeals.

Mr. Hilger,

[491]. Petition for the erection of a public gas lamp on the corner of Thirtieth and Charlotte streets.

Which was referred to the Committee on Gas Lighting.

Mr. Watson,

[492]. Petition of Frank Armstrong for the payment of the balance due on contracts for the grading and paving of certain streets.

Which was referred to the Committee on Finance.

Mr. McKinley,

[493]. Dedication of an alley in Bloomfield, lying between Elm and Cedar streets, to public use, by William Mazet.

Which was read and referred to the City Engineer.

Mr. Lagerman,

[494]. Petition of H. W. Lagerman & Bro. for the refunding of overpaid water rent.

Which was referred to the Water Committee.

ALSO,

[495]. Petition for the repairing of the Morning Side Road.

Which was referred to the Street Committee.

Mr. Negley,

[496]. A certificate from the Board of Assessors recommending the refunding of overpaid taxes to Joseph Erny of the Twenty-fifth ward.

ALSO,

[497]. A certificate from the Board of Assessors recommending the refunding of overpaid taxes to Mary McGrew of the Twenty-first ward.

Which were read and received.

ALSO the following:

[498]. Resolved, That the City Controller be and he is hereby authorized and directed to issue his certificates on the Mayor for warrants in favor of Mary McGrew of the Twenty-first ward of the city of Pittsburgh for one hundred and four dollars and ninety-nine cents; Joseph Erny of the Twenty-fifth ward of the city of Pittsburgh for ten dollars and sixty cents, for refunding overpaid taxes in accordance with the recommendation of the Board of Assessors' certificates, Nos. 21 and 22, and charge the same to appropriation No. 13.

Which was read and the rule having been

suspended the resolution was read a second and third time and agreed to and finally passed.

The President.

[499]. An ordinance changing the investment of the Hallman bequest.

Which was referred to the Finance Committee.

Mr. **Kerr**, the following:

[500]. WHEREAS, An attempt was made at the last session of the Pennsylvania Legislature to pass an Act whose title disguised its provisions, the effect of which would have been to require the removal of the Municipal Hospital from within the limits of the city of Pittsburgh; and

WHEREAS, A similar effort may be made at the approaching session of the Legislature; therefore be it

Resolved, That the Senators and Representatives in the Legislature from this city and county be requested to oppose any bill which may be introduced or is now pending therein for this purpose.

Which was read.

Mr. **Kerr** moved,

To suspend the rule for the further consideration of the resolution.

Which motion prevailed.

Mr. **Powers** moved,

To postpone action on the resolution until next regular meeting.

Which motion did not prevail.

The **President** announced,

That the hour of three o'clock having arrived, Council must now proceed to the consideration of the special order of the day, the consideration of S. C. bill No. 83, an ordinance entitled, "An ordinance fixing the salaries of certain city officers."

And Council proceeded to the consideration of the bill.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Atkinson, Bradley, Bruce, Dannals, Foster, (Alex. W.) Foster, (W. S.) Hays, Herron, Hilger, Kennedy, Kerr, Littell, Miller, Moore, (W. J.) McCandless, McKinley, Nantker, O'Donnell, Powers, Shipton, Sterling, Weigand, Aiken, President—23.

Noes—Messrs. Barclay, Baum, Brown, (L. T.) Chambers, Costillo, Duff, Fagin, Fullerton, Gourley, Hoeh, Holliday, Kernan, Lagerman, Lappan, Meyer, McClurg, Negley, Nisbett, Noble, O'Neil, Patterson, Rodgers, Taylor, Watson.—24.

And a majority of the votes being in the negative the bill was rejected.

And Council resumed the consideration of S. C., No. 500, a resolution asking the members of the Legislature to defeat any bill for the removal of the Municipal Hospital.

Mr. **Kerr** moved,

The passage of the resolution.

On which motion the ayes and noes were demanded by Mr. **Watson** and the demand being sustained the ayes and noes were directed to be taken and being taken were:

Ayes—Messrs. Atkinson, Baum, Bradley, Brown, (L. T.) Bruce, Burns, Chambers, Costillo, Dannals, Darlington, Duff, Evans, Fagin, Foster, (Alex. W.) Fullerton, Garrison, Gourley, Gray, Hays, Hilger, Hoeh, Holliday, Kennedy, Kernan, Kerr, Lagerman, Lappan, Littell, Meyer, Miller, McClurg, McKinley, Nantker, Negley, Nisbett, Noble, Nusser, O'Donnell, O'Neil, Patterson, Rodgers, Shipton, Taylor, Watson, Welsh, Aiken, President—45.

Noes—Messrs. Barclay, Foster, (W. S.) Herron, Moore (W. J.), Powers, Sterling—6.
So the motion prevailed and the resolution was passed.

The clerk of Common Council having been introduced presented the following business for concurrence:

No. 136, C. C. An ordinance entitled "An ordinance amending sections 1, 3, 4 and 15 of an ordinance entitled 'An ordinance amending the city code title Markets,' passed November 27th, 1876.

C. C. November 12th, 1877, passed.

No. 199, C. C. An ordinance entitled, "An ordinance authorizing the grading and paving of Spring alley from Laurel avenue to Mary street."

C. C. November 12th, 1877, passed.

No. 293, C. C. An ordinance entitled "An ordinance authorizing the assessment of damages and benefits caused by the grading of Bluff street, from Shingiss street to Marion street."

C. C., November 12th, 1877, passed.

No. 306, C. C. An ordinance entitled "An ordinance granting certain privileges to the Pittsburgh and Lake Erie Railroad Company".

C. C., November 12th, 1877, passed.

REPORTS OF VIEWERS.

No. 350, C. C. Communication from the board of viewers relative to their report (No. 311, C. C.) on the damages by grade on Brownsville and Washington avenues.

C. C., November 12th, 1877. Read and received.

No. 311, C. C. Report of the viewers on the damages and benefits caused by the grading of Brownsville and Washington avenues from Carson street to the City line.

C. C., November 12th, 1877. Approved.

No. 343, C. C. Preliminary report of the viewers on the grading and paving of Spring alley from Laurel avenue to Mary street.

C. C., November 12th, 1877, read and received

REPORTS FROM COMMITTEES.

No. 345, C. C. Streets for October.

No. 351, C. C. Police for October.

No. 356, C. C. Printing for October.

No. 355, C. C. Monongahela Wharf for October.

No. 335, C. C. Report from Committee on Water, returning with negative recommendation No. 441 S. C. petition of Philip Drum for refunding of overpaid water tax.

No. 352, C. C. Report from the Committee on Police covering and recommending the passage of a resolution for payment of claim of Continental restaurant for meals furnished the Washington Infantry during the July riots.

C. C., November 12th, 1877. Severally read and received.

RESOLUTIONS.

No. 352, C. C. Resolution for a warrant in favor of the Continental restaurant for the sum of seven hundred and twenty-five dollars for meals furnished to the Washington Infantry during the riots of July.

C. C., November 12th, 1877. Passed.

Also, Announcing that Common Council had concurred in the action of Select Council had on the following papers:

No. 205, S. C. An ordinance entitled "An ordinance amending city code title 'buildings' section 17".

No. 459, S. C. Resolution for a warrant in favor of Martin Joyce for \$131.50 on account of legal fees in the case of the School alley sewer.

No. 456, S. C. Resolution directing the Board of Fire Commissioners to place five hundred feet of hose in the engine house of the Monongahela Inclined Plane, Thirty-second ward.

No. 453, S. C. Resolution for a warrant in favor of S. B. Cooper for \$17.75 for postage, &c.

No. 464, S. C. Resolution for the erection of public gas lamps by the West Pittsburgh Gas Company.

No. 461, S. C. Resolution for the erection of public gas lamps by the Pittsburgh Gas Company.

No. 462, S. C. Resolution for the erection of public gas lamps by the East End Gas Company.

No. 463, S. C. Resolution for the erection of public gas lamps by the South Side Gas Company.

No. 458, S. C. Report from the Finance Committee covering resolution for a warrant in favor of Martin Joyce.

No. 438, S. C. Communication from property owners, dedicating to public use forever the ground for Melwood avenue.

Mr. Miller.

[501.] Petition of Thomas Miller for the refunding of business tax.

Which was referred to the Committee on Finance.

Mr. Kernan, the following.

[502.] *Resolved*, That the street commissioner of the seventh district be and he is hereby directed to have a sidewalk put down in front of the works of McCully & Co., on the north side of Carson street, in the Thirty-third ward, unless the said McCully & Co. shall put said sidewalk down within twenty days.

Which was read.

Mr. Littell moved.

To amend by the insertion of the words "at the expense of the said McCully & Co."

Which motion prevailed and the resolution was so amended.

And as amended the rule having been suspended was read a second and third time and finally passed.

Mr. Rogers.

[503.] Petition of John Kelly for an exoneration from the payment of taxes on the ground of charity.

Which was referred to the Committee on Appeals.

Also.

[504.] Petition for the erection of public gas lamps on High street, Thirty-sixth ward.

Which was referred to the Committee on Gas Lighting.

Mr. Evans.

[505.] Petition of K. Bracken asking Councils to direct the payment to him of the sum of \$422.59., with interest thereon, the amount due for the grading and paving of School alley in the Seventeenth ward.

Which was referred to the Finance Committee.

Mr. Weigand, the following.

[506.] *Resolved*, That the City Controller be and he is hereby authorized to issue his certificate on the Mayor for a warrant in favor of Mansfield & Co. for overpaid business tax

to the amount of \$ and charge the same to the Contingent fund.

Which was referred to the Finance Committee.

Mr. McCandless.

[507.] Petition of Bridget E. Cleary for an abatement of business tax.

Which was referred to the Finance Committee.

Also.

[508.] Petition of George J. Bridges and Wilhelmina Bridges of the Thirtieth ward for an abatement of business tax.

Also.

[509.] A resolution directing the City Controller to issue an exoneration for \$47.00 in favor of George J. Bridges and Wilhelmina Bridges of the Thirtieth ward on account of overpaid business tax.

Which were referred to the Committee on Finance.

Also.

[510.] An ordinance authorizing the issue of bonds to provide for the completion of the new water works of the city of Pittsburgh.

Which was referred to the Water Committee.

Mr. Shipton.

[511.] A report from the Finance Committee returning to Councils with a negative recommendation sundry petitions for an abatement and refunding of business tax.

Which was read and approved.

Mr. Shipton moved.

That the petitions be referred to the Board of Assessors.

Which motion prevailed.

Mr. Shipton.

[512.] A report from the Committee on Gas Lighting covering a statement of the expenditures for the month of October.

Which was read and received.

Also from the same committee.

Affirmatively recommended.

[513.] *Resolved*, That the Pittsburgh Gas Company be and are hereby directed to have four public gas lamps erected on Vickroy and Chestnut streets in the Sixth ward, to be located by the engineer of the gas company. And also to have the following public gas lamps removed: one at the intersection of Grant, Washington and Liberty streets to a point near the north-east corner of where the Grain elevator stood; one from the north-west corner of Liberty and Eleventh streets to the north side of Liberty street opposite the east line of Washington street or to Eleventh street north of the railroad tracks.

Which was read.

And the rule having been suspended the resolution was read a second and third time and agreed to and finally passed.

Also from the same committee.

Affirmatively recommended.

[514.] *Resolved*, That the South Side Gas Company be and they are hereby directed to erect five public gas lamps on Carson street between Thirtieth street and the eastern terminus of the city line.

Which was read.

And the rule having been suspended the resolution was read a second and third time and agreed to and finally passed.

Mr. Herron.

[515.] A report from the Committee on Allegheny wharf covering a statement of the

expenditures and receipts for the month of October.

Which was read and accepted.

Mr. **O'Donnell**, by leave, called up, C. C. bill, No. 96. An ordinance entitled "An ordinance authorizing the grading, paving and curbing of Thirty-fourth street from Butler street to Smallman street.

Which was read once.

Mr. **O'Donnell** moved,

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended the bill was read a second time and agreed to.

And the title of the bill was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Atkinson, Barclay, Baum, Bradley, Brown, (L. T.) Bruce, Burns, Chambers, Costillo, Dannals, Darlington, Duff, Evans, Foster, (Alex. W.) Foster, (W. S.) Garrison, Gourley, Gray, Hays, Herron, Hilger, Hoeh, Holliday, Kernan, Kerr, Lagerman, Littell, Meyer, Miller, Moore, (W. J.) McClurg, McKinley, Nantker, Negley, Nisbett, Noble, Nusser, O'Donnell, Patterson, Rodgers, Shipton, Sterling, Taylor, Weigand, Watson, Welsh, Aiken, President—47.

Noes—None.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Mr. **Herron**, by leave, called up, C. C. bill No. 223. An ordinance entitled "An ordinance authorizing the location of Monroe street from Webster avenue to Ridge street.

Which was read.

Mr. **Herron** moved,

To suspend the rule for the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended.

The bill was read a second time and agreed to.

And the title was read and agreed to.

And the bill was read a third time and agreed to.

And on the question "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Barclay, Baum, Bradley, Bruce, Chambers, Dannals, Darlington, Foster, (Alex. W.) Foster, (W. S.) Gray, Hays, Herron, Hilger, Hoeh, Holliday, Kernan, Kerr, Lagerman, Littell, Miller, Moore, (W. J.) McClurg, McKinley, Nantker, Negley, Nisbett, Noble, Nusser, O'Donnell, Patterson, Rodgers, Shipton, Sorg, Sterling, Taylor, Watson, Welsh, Aiken, President—38.

Noes—None.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Mr. **Littell** called up,

C. C., No. 359. Report from the view-ers of street improvements on the cost of the construction of a sewer on Soho run, from the culvert under Fifth avenue to the culvert under Forbes street.

Which was read and approved.

Mr. **Kerr**, by leave, called up

C. C. bill, No. 306. An ordinance entitled an ordinance granting certain privileges

to the Pittsburgh and Lake Erie Railroad Company.

Which was read.

Mr. **Kerr** moved.

To suspend the rule to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended the bill was read a second time.

Mr. **Dannals** moved to amend:

SECTION 5. That in the construction of their roadway wherever the same shall cross any street and opposite to the ends of all streets the said company where the roadway is above or below the grade of said streets shall construct bridges over and across said streets and over and across the approaches to said streets of a span equal to the full width of said streets with the privilege to erect columns to support the same on the curb line.

To read as follows:

SECTION 5. That in the construction of their roadway wherever the same shall cross any street and opposite to the ends of all streets the said company where the said roadway is above grade—then the roadway shall be twelve feet above the grade of said streets, shall construct bridges over and across said streets and over and across the approaches to said streets of a span equal to the full width of said streets with the privilege to erect columns to support the same on the curb line.

Which motion did not prevail.

Mr. **Gray** moved,

To amend section seven by striking out the following:

And further, that the said Pittsburgh and Lake Erie Rail Road Company shall grant the right and privilege to the Pittsburgh and Castle Shannon Rail Road Company to connect with and to lay down and maintain a third rail on their tracks within the limits of the South Side of the city of Pittsburgh; and also shall grant to said Pittsburgh and Castle Shannon Rail Road Company the right and privilege to run their freight, passenger and other trains over said tracks within said limits, subject, however, to the schedule times, rules and regulations for trains of the same class of the said Pittsburgh and Lake Erie Rail Road Company, upon such terms as shall be mutually agreed between the said companies, or as shall be fixed by arbitration in case of disagreement; each company choosing one arbitrator, and they two a third, the award and decision of a majority of whom shall be final, and binding upon both said companies.

Mr. **Kerr** moved,

That the privilege of the floor be granted to Mr. A. C. Hays, the president of the P. & C. S. R. R. Co., to explain the provisions of the bill so far as they relate to the P. & C. S. R. R. Co.

Which motion prevailed.

And the motion to amend section seven was decided in the negative.

Mr. **Duff** moved to amend

SEC. 1. That the Pittsburgh & Lake Erie Railroad Company be and is hereby authorized and empowered to enter upon and lay down rails for a single or double track of railway for the use of said road from the lower terminus of Water street in the Thirtieth ward of said city to the upper terminus of said street in the Twenty-fifth ward with the right to cross all streets on the line of said road within the city limits on such lines and such grades as shall be approved by the Street Committee and the City Engineer subject to the conditions, re-

strictions and limitations hereinafter set forth.

To read:

Sec. 1. That the Pittsburgh & Lake Erie Railroad Company be and is hereby authorized and empowered to enter upon and lay down rails for a single or double track of railway for the use of said road from the lower terminus of Water street in the Thirtieth ward of said city to the upper terminus of said street in the Twenty-fifth ward on a line not further south than the southern line of said Water street, with the right to cross all streets on the line of said road within the city limits on such lines and such grades as shall be approved by the Street Committee and City Engineer subject to the conditions, restrictions and limitations hereinafter set forth.

Which motion prevailed.

And the bill was so amended.

Mr. Kerr moved.

To amend the title to read "An ordinance granting certain privileges to the Pittsburgh and Lake Erie Railroad Company and to the Pittsburgh and Castle Shannon Railroad Company.

Which motion prevailed.

And the title was so amended.

Mr. Evans moved.

To re-commit the bill to the Street Committee.

Which motion prevailed.

C. C., No. 310. Report of the viewers of street improvements on the damages and benefits caused by the grading of Second avenue from Cross street to the railroad crossing near Glenwood.

Which in C. C. was read and approved.

Mr. Shipton moved.

To concur in the action of Common Council.

Mr. Evans moved.

To postpone action until next meeting.

Mr. Shipton rose to a point of Order.

That the only motion before the house was the motion to concur.

The President ruled.

That the only motion in order on a paper message from Common Council was a motion to concur and that motion must be first disposed of before any other motion could be entertained.

And the motion to concur in the action of Common Council was decided in the affirmative.

C. C. 311. A report from the viewers of street improvements on the damages and benefits caused by the grading of Brownsville and Washington avenues from Carson street to the city line.

In Common Council read and approved.

Mr. Shipton moved to concur in the action of Common Council.

Mr. Nisbet presented

[516]. A petition from the property holders asking that the report be returned to the viewers with instructions to give the parties interested another hearing.

Which was read and accepted.

And the motion to concur in the action of Common Council was decided in the negative.

Mr. Nisbet moved.

That the report be returned to the Board of Viewers of street improvements with instructions to give the parties in interest a re-hearing on the facts alleged in the petition.

Which motion prevailed.

No 348, C. C. A preliminary report from the viewers of street improvements on the grading and paving of Spring alley from Laurel avenue to Mary street.

Which was read and received.

Mr. Herron by leave presented.

[517]. WHEREAS, Great differences of opinion exist as to the benefits expected from the ordinances granting privileges to the Pennsylvania Railroad and as the opportunity now occurs whereby changes might be made in the contracts between said corporation to their mutual benefit if found necessary and proper. Therefore

Resolved, That a special committee of five (5) two (2) from Select and three (3) from Common Council be appointed to confer with the Railroad officers in regard to any changes or alterations that can be made, or are found necessary to be made in said contracts, that will be of benefit to the public, as well as the company.

Which was read.

Mr. Herron moved the passage of the resolution.

On which motion a division was had and there were twenty-five ayes and no noes.

So the motion prevailed.

And on motion Council adjourned.

COMMON COUNCIL.

W. B. NEGLEY.....PRESIDENT,
GEORGE BOOTH.....CLERK.

PITTSBURGH, November 26th, 1877.

Council met.

Present—Messrs. Bigham, Dierst, Doyle, Egan, Frauenheim, Fennerty, Gallisath, Higgins, Hanlon, Johnston, Kinzer, Kohne, Manning, McClarran, (Newton) McCafferty, McKinley, O'Donnell, Pier, Rabauser, Rea, Renziehausen, Schuman, Voskamp, Wainwright, Walker, Wamhoff, Negley, President.

Absent—Messrs. Aull, Belfore, Blume, Forsythe, French, Foley, Gallagher, Hogle, Kemler, Kirchner, McClarran, (R. M.) Nantker, Schwarm, Weisser, Young.

Mr. Johnston moved.

That the reading of the minutes of the last meeting be dispensed with.

Which prevailed.

Mr. Johnston presented.

[358] Petition of Jane Ballantine for exoneration of water tax.

Which was referred to the Committee on Water.

Mr. Rea presented.

[359] Petition of Mary A. Yoder for exoneration from payment of water tax.

Which was referred to the Committee on Water.

Also.

[360] Petition of Mary A. Yoder for abatement of business tax.

Which was referred to the Committee on Finance.

Mr. Kinzer presented.

[361] Petition for a sewer on Tustin street from Seneca to Brady streets.

Which was referred to the Committee on Roads.

Also.

[362] Petition of Thomas Purdon for an abatement of business tax.

Which was referred to the Committee on Finance.

Mr. **Thomson** presented,
[363] A preliminary report of the Board of Viewers on the opening of Arch street from Cassatt street to Ledlie street. Which was read and received.

ALSO,
No. 299 C. C. An ordinance entitled "An ordinance authorizing the opening of Arch street from Cassatt street to Ledlie street

(Reported affirmatively by Committee on Streets November 12th, 1877.)

Which was read.

On motion of Mr. **Thomson** the rule was suspended to allow the second and third reading and final passage of the bill.

And the bill was read a second time.

And the bill was read a third time, and agreed to.

And on the question "shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were

Ayes—Messrs. Bigham, Doyle, Frauenheim, Fennerty, Gallisath, Higgins, Hanlon, Johnston, Kinzer, McClarran, (Newton) McCafferty, McKinley, O'Donnell, Pier, Rea, Renziehausen, Schuman, Thomson, Voskamp, Wainwright, Wamhoff, Negley, President—22.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

ALSO,

[364] A preliminary report of the Board of Viewers on the opening of Woodville avenue from Washington pike to Shalersville."

Which was read and received.

ALSO,

No. 295 C. C. An ordinance entitled "An ordinance authorizing the opening of Woodville avenue from Washington pike to Shalersville.

(Reported affirmatively by Committee on Streets, November 12th, 1877.)

Which was read.

And on motion of Mr. **Thomson**, the rule was suspended to allow the second and third readings and final passage of the bill.

And the bill was read a second time.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Bigham, Doyle, Frauenheim, Fennerty, Gallisath, Higgins, Hanlon, Johnston, Kinzer, McClarran, (Newton) McCafferty, McKinley, O'Donnell, Pier, Rahausen, Rea, Renziehausen, Schuman, Thomson, Voskamp, Walker, Wamhoff, Negley, President—23.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

ALSO,

[365] A preliminary report of the Board of Viewers on the construction of a sewer on Second avenue from Market street to Wood street.

Which was read and received.

ALSO,

No. 297 C. C. An ordinance entitled "An ordinance authorizing the construction of a sewer on Second avenue from Market street to Wood street."

Reported affirmatively by Committee on Streets, November 12th, 1877.

Which was read.

And on motion of Mr. **Thomson**, the rule

was suspended to allow the second and third reading and final passage of the bill.

And the bill was read a second time.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Bigham, Dierst, Doyle, Egan, Frauenheim, Fennerty, Gallisath, Higgins, Hanlon, Johnston, Kinzer, Kohne, Manning, McClarran, (Newton) McCafferty, McKinley, O'Donnell, Pier, Rahausen, Rea, Renziehausen, Schuman, Thomson, Voskamp, Walker, Wamhoff, Negley, President—27.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

The clerk of Select Council having been introduced, reported the following business for concurrence.

S. C. No. 435. An ordinance granting to Messrs. James McNeil & Bro., boiler manufacturers, the privilege of erecting a two storied iron clad building to be used as a work shop on Spruce alley and Twenty-ninth street, Thirteenth ward. In S. C. November 12th, passed finally.

C. C. bill, No. 273. An ordinance entitled "An ordinance granting the Central Elevator Company the right to erect a wooden building." In S. C. November 12th, passed finally.

No. 379 S. C. An ordinance locating Wyandotte lane. In S. C. November, 12th passed finally.

S. C., Bill No. 460. An ordinance entitled an ordinance "supplementary to an ordinance entitled" "An ordinance to provide for the safe-keeping and custody of the funds of the City." In S. C. November 12th, passed finally.

[432.] A report from the Committee on City Property, for the month of October.

[433.] A report from the Committee on Markets, for the month of October.

[434.] A report from the Committee on Gas Lighting for the month of October.

Which in S. C. were severally read and accepted.

And also announced

That Select Council had concurred in the following business from C. C.

S. C. No. 381. An ordinance authorizing the opening of Knox avenue.

C. C. No. 203. An ordinance establishing the grade of Aiken avenue.

C. C. No. 270. A resolution for the appointment of a committee for the investigation of the Fire Commission.

340 C. C. Resolution instructing the Water Committee to have water pipes laid on Jackson street, Twenty-first ward.

Mr. **Thomson** presented,

[366] A report of the Board of Viewers of Street Improvements on the damages caused by the grading of Thirty-third street from Liberty street to Herron avenue.

Which was approved.

ALSO,

[367] A report of the Board of Viewers of Street Improvements on the construction of a bridge over Boundry street on the line of Forbes street.

Which was approved.

Mr. **Pier** presented,

[368] A report from the Committee on City Printing covering their expenditures for October, amounting to \$883.00.

Which was read and received.

Also, from the Committee on City Printing affirmatively as amended.

[334] An ordinance entitled "An ordinance amending sections three, thirteen and fourteen of an ordinance entitled 'An ordinance regulating the manner of letting the public printing and prescribing the manner of doing the same,' passed 29th March, 1875."

Which was read.

Mr. Dierst presented the following:

[339] Your Committee on Appeals have had before them sundry petitions for the exoneration of certain persons from the payment of taxes, on the ground of poverty; upon which after a full examination of the cases, they would recommend that the following persons be granted the relief prayed for, to wit: the exoneration of taxes assessed for City purposes.

James Finnegan, Thirty-sixth ward.

Mrs. E. Plowden, Twentieth ward.

N. E. Brudenwald, Fourteenth ward.

Mary Casey, Twentieth ward.

John Carey, Seventh ward.

Mrs. Margertha Pflicker.

S. Craig's heirs, Seventh ward.

These parties are all in distressed circumstances, and the collection of the taxes from them, would be to distress them still further.

Respectfully submitted,

MARTIN FAGIN,	} Committee
W. J. FULLERTON,	
JACOB KINZEE,	
T. J. BIGHAM,	
W. S. FOSTER,	
FRED DIERST,	on Appeals.

Which was read, received and approved.

BUSINESS FROM SELECT COUNCIL.

No. 273 C. C. An ordinance entitled "An ordinance granting the Central Elevator Company the right to erect a wooden building."

S. C. November 12th, passed finally.

Which was read.

And on motion of Mr. Rea the rule was suspended to allow the second and third reading and final passage of the bill.

And the bill was read a second time.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Bigham, Dierst, Doyle, Egan, Frauenheim, Fennerty, Gallisath, Higgins, Hanlon, Johnston, Kinzer, Kohne, Manning, McClarran, (Newton) McCafferty, McKinley, O'Donnell, Pier, Rea, Renziehausen, Schuman, Thomson, Voskamp, Walker, Wamhoff, Negley, President—26.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

No. 379 S. C. An ordinance entitled "An ordinance locating Wyandotte lane."

In S. C. November 12th, passed finally.

Which was read.

And the rule was suspended to allow the second and third readings and final passage of the bill.

And the bill was read a second time.

And the bill was read a third time and agreed to.

And on the question "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Bigham, Dierst, Doyle, Frauenheim, Fennerty, Gallisath, Higgins, Hanlon, Johnston, Kinzer, Mohne, Manning, McClarran, (Newton) McCafferty, McKinley, O'Donnell, Pier, Rea, Renziehausen, Schuman, Thomson, Voskamp, Walker, Wamhoff, Negley, President—25.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

S. C. Bill No. 435. An ordinance entitled "An ordinance granting to Messrs. Jas. McNeil & Bro. Boiler Manufacturers, the privilege of erecting a two-storied iron clad building to be used as a work shop on Spruce alley and Twenty-ninth street, Twelfth ward."

In S. C. November 12th, 1877, passed finally.

Which was read.

And on motion the rule was suspended to allow the second and third reading and final passage of the bill.

And on the question "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were,

Ayes—Messrs. Bigham, Dierst, Doyle, Egan, Frauenheim, Fennerty, Gallisath, Higgins, Hanlon, Johnston, Kinzer, Kohne, Manning, McClarran, (Newton) McCafferty, McKinley, O'Donnell, Pier, Renziehausen, Schuman, Thomson, Voskamp, Walker, Wamhoff, Negley, President—25.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

460 S. C. An Ordinance entitled "an Ordinance supplementary to an Ordinance entitled" "an Ordinance to provide for the safe keeping and custody of the funds of the City."

In S. C. November 12, 1877 passed finally.

Which was read.

And on motion of Mr. Thomson the rule was suspended, to allow the second and third reading and final passage of the bill.

And the bill was read a second time.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Bigham, Dierst, Doyle, Egan, Frauenheim, Fennerty, Gallisath, Hanlon, Johnston, Kinzer, Kohne, Manning, McClarran, (Newton) McCafferty, McKinley, O'Donnell, Pier, Rahausser, Renziehausen, Schuman, Thomson, Voskamp, Wainwright, Walker Negley, President—25.

Noes—Messrs. Higgins, Rea, Wamhoff.—3.

And a majority of the votes of Common Council not being in the affirmative, the bill did not pass finally.

No. 482 S. C. A report from the committee on city property for October.

In S. C. November 12, 1877. Read and accepted.

In which action C. C. concurred.

No. 483 S. C. A report from the Committee on Markets, for October.

In S. C. November 12, 1877. Read and accepted.

In which action C. C. concurred.

No. 484 S. C. A report from the committee on Gas Lighting covering expenditures for October.

In S. C. November 12, 1877. Read and accepted.

In which action C. C. concurred.

Mr. **Thomson**, (by leave) presented,
No. 370. *Resolved*, That the committee
on Printing is hereby directed to furnish to
each member of the Common Council, blank
forms for Ordinances and resolutions properly
endorsed in blank, for the use of the said
members, and to charge the expense of Print-
ing the same to appropriation No. 3, Printing.

Which, the rule having been suspended,
was read three times and passed.

The chair presented the following :

No. 371, *To the President and Members
of Common Council.*

GENTLEMEN :—You are invited to attend the
annual Inspection of the Fire Department to
take place on Thursday 29th inst, at 10 o'clock
A. M. on Liberty near Market streets.

Very Respectfully,
ALEX PITCAIRN,

President.

Which was read, received and accepted.

Mr **O'Donnell** presented,
No. 312. Petition of Patrick Sweeny
for exoneration from payment of business
tax.

Which was referred to the Committee on
Finance.

Adjourned.

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

VOL. 10. MONDAY, DECEMBER 10, 1877. NO. 35.

Municipal Record.

SELECT COUNCIL.

DAVID AIKEN, JR.....PRESIDENT.
E. S. MORROW.....CLERK.

PITTSBURGH, December 11th, 1877.

Council met.

Present.—Messrs. Ahl, Barckley, Baum, Bradley, Brown (L. T.), Bruce, Burns, Dannals, Darlington, Duft, Evans, Fagin, Foster, (Alex. W.) Foster, (W. S.), Fox, Fullerton, Garrison, Gourley, Gray, Hays, Hilger, Hoch, Holliday, Holmes, Kennedy, Kerr, Littell, Meyer, Moore, (Wm.) Moore, (W. J.), McCandless, MacConnell, McKinley, Negley, Nisbett, Noble, Nusser, O'Donnell, O'Neil, Owens, Patterson, Powers, Reiman, Rodgers, Schwarm, Shipton, Sorg, Taylor, Weigand, Watson, Aiken—President.

Absent.—Messrs. Atkinson, Boyd, Brown, (Sam'l S.) Buckley, Chambers, Costillo, Flannery, Felker, Herron, Kelly, Kernan, Lagerman, Lambie, Lappan, Miller, McClurg, Nantker, Rolfe, Schild, Sterling, Welsh.

The minutes of the meeting of October 29th, were read and approved.

Mr. **McCandless** moved

To dispense with the further reading of the minutes.

Which motion prevailed.

Mr. **Hilger** presented,

[518.] Petition for a Gag stone crossing across Thirty Eighth street at Butler street.

Which was referred to the Street Committee.

Mr. **Watson**,

[519.] Petition for a flag stone crossing on Tenth and Liberty streets.

Which was referred to the Street Committee.

Mr. **Taylor**,

[520.] Petition of Robert Marshall of the Fifth ward, for an abatement of taxes.

Which was referred to the Board of Assessors.

Mr. **Littell**,

[521.] Petition for the erection of three gas lamps on Sylvan avenue Extension.

Which was referred to the Committee on Gas Lighting.

Mr. **Kerr**,

[522.] A communication from the Board of Health, asking that Council make

them an additional appropriation of three thousand dollars for the present fiscal year.

Which was read and referred to the Finance Committee.

Mr. **Noble**,

[523.] Petition of Mrs. James Jones for an exoneration from the payment of taxes, assessed against her in the Thirty-second ward.

Which was referred to the Committee on Appeals.

Mr. **Shipton**, from the Finance Committee,

[524.] A report covering and recommending the passage of a resolution authorizing the issuing of a warrant in favor of the employees of the Board of Assessors for twelve-hundred and seventy-nine dollars and fifty cents, on appropriation No. 39.

Which was read and received.

ALSO, from the same Committee.

[525.] Resolved; that the City Controller be, and he is hereby authorized and directed, to issue his certificate on the Mayor for warrants in favor of the employees of Board of Assessors, to the amount of Twelve hundred and seventy nine dollars and fifty cents, and charge the same to appropriation No. 39, Repaving Fund.

Which was read.

Mr. **Shipton** moved

That the rule be suspended to allow the third reading and final passage of the resolution.

Which motion prevailed, and the resolution was read a second and third times, and agreed to, and finally passed.

ALSO, from the same Committee.

Affirmatively recommended as amended in Committee.

S. C., Bill No. 480. An ordinance entitled "An ordinance extending the time for the payment of the City moneys on deposit in the U. S. Savings Bank,

Which was read.

Mr. **Shipton** moved

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the bill was read a second time.

Mr. **Hays** moved

That further action be postponed on the bill until next regular meeting.

Which motion prevailed.

The Clerk of Common Council having been introduced presented the following paper for concurrence.

C. C. No. 363. A preliminary report of

the Board of Viewers on the opening of Arch street from Cassatt street to Ledlie street.

Which was read and received.

No. 299 C. C. An ordinance entitled "An ordinance authorizing the opening of Arch street from Cassatt street to Ledlie street."

Passed finally.

No. 364 C. C. A preliminary report of the Board of Viewers on the opening of Woodville avenue from Washington pike to Shalersville.

Which was read and received.

No. 295 C. C. An ordinance entitled "An ordinance authorizing the opening of Woodville avenue from Washington pike to Shalersville."

Passed finally.

No. 385 C. C. A preliminary report of the Board of Viewers on the construction of a sewer on Second avenue from Market street to Wood street.

Which was read and received.

No. 297 C. C. An ordinance entitled "An ordinance authorizing the construction of a sewer on Second avenue from Market street to Wood street."

Passed finally.

No. 366 C. C. A report of the Board of Viewers of Street Improvements on the damages caused by the grading of Thirty-third street from Liberty street to Herron avenue.

Which was approved.

ALSO,

367 C. C. A report of the Board of Viewers of Street Improvements on the construction of a bridge over Boundry street on the line of Forbes street.

Which was approved.

No. 368 C. C. A report from the Committee on City Printing covering their expenditures for October, amounting to \$883.00.

Read and received.

No. 369 C. C. A report from the Committee on appeals recommending the granting of sundry exonerations from the payment of taxes on account of poverty.

Read, received, and approved.

ALSO,

Reporting that C. C. had concurred in the action of S. C. had on the following papers.

No. 273 C. C. An ordinance entitled "An ordinance granting the Central Elevator Company the right to erect a wooden building."

No. 379 S. C. An ordinance entitled "An ordinance locating Wyandotte lane."

In S. C. November 12th, passed finally.

S. C. Bill No. 435. An ordinance entitled "An ordinance granting Messrs. Jas. McNeill & Bro., Boiler Manufacturers, the privilege of erecting a two-storied iron clad building to be used as a work shop, on Spruce alley and Twenty-ninth street, Twelfth ward."

No. 460 S. C. An ordinance entitled "An Ordinance supplementary to an Ordinance entitled" "an Ordinance to provide for the safe keeping and custody of the funds of the City."

No. 482 S. C. A report from the committee on City Property for October.

No. 483 S. C. A report from the Committee on Markets, for October.

No. 484 S. C. A report from the committee on Gas Lighting covering expenditures for October.

Mr. McCandless from the Water Committee,

Affirmatively,

S. C. Bill No. 510. An Ordinance entitled "an Ordinance authorizing the issue of bonds to provide for the completion of the new water works, of the City of Pittsburgh."

Which was read.

Mr. McCandless moved

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended

The bill was read a second time and agreed to.

And the title of the bill was read and agreed to.

And the bill was read a third time and agreed to.

And on the question "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Ahl, Barclay, Baum, Bradley, Brown, (L. T.) Burns, Dannals, Evans, Foster, (Alex. W.) Foster (W. S.), Fox, Fullerton, Garrison, Gourley, Gray, Hilger, Hoeh, Holliday, Holmes, Kennedy, Kerr, Littell, Meyer, Moore, (Wm.) Moore, (W. J.) McCand-McKinley, Negley, Nisbett, Noble, Nusser, O'Donnell, O'Neil, Reiman, Schwarm, Ship-ton, Sorg, Taylor, Watson, Aiken, President—40.

Noes—Messrs. Fagin, Patterson, Rodgers, Weigand—4.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. Backley from the Committee on City Property.

[526.] A report covering a statement of the expenditures for the month of November.

Which was read and received.

Mr. Schwarm from the Market Committee

[527.] A report covering a statement of the expenditures and receipts, for the month of November.

Which was read and received.

Mr. Gourley from the Street Committee affirmatively recommended, as amended in Committee,

No. 306, C. C. An ordinance entitled "An ordinance granting certain privileges to the Pittsburgh and Lake Erie Railroad Company and the Pittsburgh and Castle Shannon Railroad Company."

Which in S. C. November 26th was amended and recommitted to the Committee on Streets.

And Section One was read and agreed to.

And Section Two was read and agreed to.

And Section Three was read and agreed to.

And Section Four was read and agreed to.

And Section Five was read and agreed to.

And Section Six was read and agreed to.

And Section Seven was read.

Mr. Kerr moved,

To amend

SECTION 7. That before this Ordinance shall become operative the said company shall submit to the City Engineer the plans and profiles of their lines and plans of all work contemplated to be done by them, and if the said Engineer shall be of opinion that said plans and profiles are in accordance with the requirements of the provisions of this ordinance he shall approve the same; but if he shall be of opinion that they do not meet said requirements he shall have power to make such modifications of the same as he may deem necessary, and if said company shall not agree to perform the work as the City

Engineer may approve then the said company may appeal to the Street Committee whose decision shall be final and conclusive and further that wherever the line of said road shall be at the grade of said streets the rails shall be of such pattern as may be approved by the said Engineer and wherever the said road shall cross any street at grade the said company shall keep the pavement of said street in perpetual good repair between the rails and for a distance of five feet on each side of the tracks of said road.

And further that the said Pittsburgh and Lake Erie Rail Road Company shall grant the right and privilege to the Pittsburgh and Castle Shannon Rail Road Company to connect with and to lay down and maintain a third rail on their tracks within the present limits of said Water street and also grant to Pittsburgh and Castle Shannon Rail Road Company the right and privilege to run their freight, passenger and other trains over said tracks within the present limits of said Water street, subject however to the schedule time, rules and regulations for trains of the same class of the Pittsburgh and Lake Erie Rail Road Company upon such terms as shall be mutually agreed between the said companies or as shall be fixed by arbitration in case of disagreement, each company choosing one arbitrator and they two a third, the award and decision of a majority of whom shall be final and binding upon both said companies.

To read,

SEC. 7. That before this ordinance shall become operative the said company shall submit to the City Engineer the plans and profiles of their lines and plans of all work contemplated to be done by them and if the said Engineer shall be of opinion that said plans and profiles are in accordance with the requirements of the provisions of this Ordinance he shall approve the same; but if he shall be of opinion that they do not meet said requirement he shall have power to make such modifications of the same as he may deem necessary, and if said company shall not agree to perform the work as the City Engineer may approve then the said company may appeal to the Street Committee whose decision may be final and conclusive, and further that wherever the line of said road shall be at the grade of the said street the rails shall be of such pattern as may be approved by the said Engineer and wherever the said road shall cross any street at grade the said company shall keep the pavement of said street in perpetual good repair between the rails and for a distance of five feet on each side of the tracks of said road.

And further that the said Pittsburgh and Lake Erie Rail Road Company shall grant the right and privilege to the Pittsburgh and Castle Shannon Rail Road Company to connect with and to lay down and maintain a third rail on their tracks within the limits of said city and also grant to Pittsburgh and Castle Shannon Rail Road Company the right and privilege to run their freight, passenger and other said trains within the limits of said city, subject however to the schedule time, rules and regulations for trains of the same class of the Pittsburgh and Lake Erie Rail Road Company, upon such terms as shall be mutually agreed between the said companies or as shall be fixed by arbitration in case of disagreement, each company choosing one arbitrator and they two a third, the award and decision of a majority of

whom shall be final and binding upon both said companies.

Which motion did not prevail.

And Section Seven, as read was agreed to.

And Section Eight, was read and agreed to.

And Section Nine was read.

Mr. Fagin moved,

To amend

SEC. 9. That before this Ordinance shall go into effect or become operative, the said company shall file in the office of the City Controller a properly certified copy of a resolution of the Board of Directors of said company accepting and agreeing to all the provisions, limitations and restrictions of this Ordinance, and in case a copy of such resolution is not filed in the said City Controller's office within sixty days after the passage of this Ordinance, then this Ordinance shall be void and of no effect.

Provided, however, that should the Pittsburgh and Lake Erie Rail Road Company lease, sell, or otherwise transfer their rail road, then the right and privileges hereby granted shall forthwith and thereby be revoked and rescinded.

To read,

SEC. 9. That before this Ordinance shall go into effect or become operative, the said company shall file in the office of the City Controller a properly certified copy of a resolution of the Board of Directors of said company accepting and agreeing to all the provisions, limitations and restrictions of this Ordinance, and in case a copy of such resolution is not filed in the said City Controller's office within sixty days after the passage of this Ordinance, then this Ordinance shall be void and of no effect.

Provided, however, that should the Pittsburgh and Lake Erie Rail Road Company and the Pittsburgh and Castle Shannon Rail Road Company lease, sell, or otherwise transfer their rail road, then the right and privileges hereby granted shall forthwith and thereby be revoked and rescinded.

Upon which motion a division was had and there were thirty-one ayes and three noes.

So the motion prevailed.

And the section was so amended and as amended was agreed to.

And Section Ten was read and agreed to.

And the bill as amended was read and agreed to.

Mr. Shipton moved

That when Council adjourn it adjourn to meet on Monday December 17th, at two o'clock, P. M.

Which motion prevailed.

Mr. Littell moved

To reconsider action on the vote for the postponement of action on S. C. Bill No. 480. An Ordinance entitled "An Ordinance extending the time for the payment of the City moneys on deposit in the U. S. Savings Bank."

Which motion prevailed.

Mr. Littell moved

To recommit the bill to the Finance Committee for amendment with instructions to report at next meeting.

Which motion prevailed.

Mr. MacConnell, by leave, presented

[527] Resolved, That the City Treasurer furnish to Council for its information at its next meeting, the dates of the various deposits made by him in the United Savings Bank, covering the time for one year prior to its suspension.

Which was read and passed.

C. C. No. 309. Report of the Board of Viewers on the cost of the construction of a sewer on Beech alley and Seneca street from Gist street to Forbes street.

In C. C. October 27th read and approved. Which was read.

Mr. **L. T. Brown** moved To recommit to the Board of Viewers.

Which did not prevail.

And on motion of Mr. **Holliday** the report was approved.

Mr. **Gourley**, by leave, called up.

C. C. bill No. 252. An ordinance entitled "An ordinance authorizing the grading of Basin alley from Elm street to Washington street."

Which was read.

Mr. **Gourley** moved

To suspend the rule for the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended

The bill was read a second time and agreed to.

And the title was read and agreed to

And the bill was read a third time and agreed to.

And on the question "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Ahl, Barckley, Baum, Bradley, Brown, (L. T.) Bruce, Burns, Duff, Evans, Foster, (Alex. W.) Foster, (W. S.) Fox, Gourley, Gray, Hays, Hilger, Holliday, Kennedy, Kerr, Meyer, Moore, (Wm.) Moore, (W. J.) McCandless, MacConnell, McKinley, Negley, Nisbett, Noble, Nusser, O'Donnell, O'Neil, Patterson, Reiman, Rodgers, Shipton, Sorg, Taylor, Weigand, Watson, Aiken, President—40.

Noes—None.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Mr. **Weigand**, by leave, presented.

[259.] Petition of M. Logan and others for relief from the assessment for damages caused by the change of grade on Water street and Duquesne Way for approach to the Point bridge.

Which was referred to the Street Committee, Also, by leave, the following:

[530.] WHEREAS, Mr. H. Darlington, member of Select Council of the Fourth ward, city of Pittsburgh, on the latter part of November did remove to the city of Allegheny and is thereby not entitled to fill the position as member of Council from the City of Pittsburgh. Therefore be it

Resolved, That the seat of the said Harry Darlington of the Fourth ward be and is hereby declared vacant.

Which was read.

And action postponed.

Mr. **O'Donnell**, by leave, called up.

C. C. Bill No. 271. An ordinance entitled "An Ordinance establishing the grade of Smallman street from Thirty-sixth street to an alley in the rear of the lots fronting on Thirty-eighth street.

Which was read once.

Mr. **O'Donnell** moved

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended, the bill was read a second time and agreed to.

And the title of the bill was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Ahl, Baum, Bradley, Brown, (L. T.) Bruce, Burns, Duff, Foster, (Alex. W.) Fox, Garrison, Gourley, Gray, Hays, Hilger, Holliday, Kennedy, Kerr, Littell, Meyer, Moore, (W.), Moore (W. J.), McCandless, McKinley, Negley, Nisbett, Noble, Nusser, O'Donnell, O'Neill, Patterson, Reiman, Rodgers, Shipton, Sorg, Taylor, Weigand, Watson, Aiken, President—38.

Noes—None.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Mr. **Moore (W. J.)**, by leave, called up

C. C. Bill, No. 157. An Ordinance entitled "An Ordinance authorizing the grading, paving and curbing of Cliff street from Cassatt street to Gum street."

Which in Select Council October 29th, failed to pass finally for want of a legal majority.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Barckley, Baum, Bradley, Brown (L. T.), Bruce, Burns, Duff, Foster, (A. W.) Fox, Garrison, Gourley, Gray, Hays, Hilger, Kennedy, Kerr, Meyer, Moore, (Wm.) Moore, (W. J.) McCandless, McKinley, Nisbett, Noble, Nusser, O'Donnell, Patterson, Rodgers, Shipton, Sorg, Taylor, Weigand, Watson, Aiken, President—33.

Noes—None.

And a majority of the votes of Select Council not being in the affirmative the bill did not pass finally.

And on motion of Mr. **Weigand**, Council adjourned.

COMMON COUNCIL.

W. B. NEGLEY.....PRESIDENT,
GEORGE BOOTH.....CLERK.

PITTSBURGH, December 10th, 1877.

Council met.

Present—Messrs. Aull, Belfore, Bigham, Blume, Dierst, Doyle, Egan, Forsythe, Frauenheim, French, Fennerty, Foley, Gallisath, Gallagher, Johnston, Kinzer, Kemler, Kohne, McClarran, (R. M.) McClarran, (Newton) McKinley, Nantker, O'Donnell, Pier, Rahausen, Rea, Renziehausen, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Walker, Wamhoff, Weisser, Young, Negley, President.

Absent—Messrs. Higgins, Hanlon, Hogle, Kirchner, Manning, McCafferty.

the board of Assessors, recommending the re-funding of overpaid taxes.

S. C. No. 496. Certificate No. 21, from the Board of Assessors, recommending the re-funding of overpaid taxes.

S. C. No. 493. Dedication of an alley in Bloomfield, lying between Elm and Cedar streets by William Mazet.

S. C. No. 515. Report from the committee on Allegheny Wharf.

S. C. No. 512. Report from the committee on gas lighting.

S. C. No. 511. Report from the Finance Committee.

S. C. No. 531. A petition asking that the report from the viewers of street improvements on the damages caused by the grading of Brownsville avenue be recommitted to them for a re-hearing.

Which were severally read and accepted.

And also announced that Select Council had concurred with the Common Council in the action had on the following papers.

349. C. C. Viewers report on the cost of construction of a sewer in Soho Run.

310. C. C. Viewers report on the damages caused by the grading of Second avenue.

348. C. C. Preliminary report from the Board of viewers on the grading and paving of Spring alley from Laurel avenue to Mary street.

An Ordinance authorizing the grading paving and curbing of Thirty-fourth street from Butler street to Smallman street.

C. C. No. 223. An Ordinance authorizing the location of Munroe street.

Select Council have refused to concur in the action had on the following papers.

S. C. 83. An Ordinance fixing the salaries of certain city officers.

In C. C. July 30th, read three times and passed.

In S. C. Rejected.

311. C. C. Report of the viewers on the Damages and benefits caused by the grading of Brownsville and Washington avenues from Carson street to the City line.

In S. C. November 26, recommitted to the Board of viewers with instructions to give the parties in interest a re-hearing on the facts alleged in the petition.

Unfinished business of C. C.

No. 245, C. C. An Ordinance entitled "An Ordinance authorizing certain changes to be made in the contract made between the city of Pittsburgh and the Pennsylvania Rail Road Company, dated December 24th, A. D. 1872."

In C. C. November 12th, failed to pass for want of a legal majority.

Which was read.

Mr. Rea moved

That further action on the bill be postponed until action be had on S. C. No. 517, a resolution for the appointment of a special committee to confer with the officers of the Pennsylvania R. R. Co. relative to changes in the bill.

Which, on a division being had, prevailed; ayes, 18; noes, 15.

No. 334 C. C. An ordinance entitled "An ordinance amending Section Three, Thirteen, and Fourteen of an ordinance entitled 'An ordinance regulating the manner of letting the public printing and prescribing the manner of doing the same,' passed 29th March, 1875"

In C. C. November 26th, read once.

Which was read a second time.

Mr. Pier moved to amend the enacting clause of the bill to read:

"SECTION 1. Be it ordained and enacted by the City of Pittsburgh in Select and Common Council assembled and it is hereby ordained and enacted by the authority of the same, That Sections One, Three, Thirteen and Fourteen of an ordinance entitled "An ordinance regulating the manner of letting the public printing and prescribing this manner of doing the same," passed March 29th, 1875, be and the same are hereby amended to read as follows:

And inserting thereafter, the following:

SEC. 1. Be it ordained and enacted by the City of Pittsburgh in Select and Common Councils assembled and it is hereby ordained and enacted by the authority of the same, That the City Controller shall immediately after the passage of this ordinance, and on the second Monday of December, annually thereafter by advertisement in the official newspapers of the city for at least two weeks before the letting hereinafter provided for, invite sealed proposals for contracts to do the newspaper printing, job printing and binding for councils and the various departments of the city government, the publication of the Municipal Record, and printing files for Councils.

That separate proposals shall be invited and separate contracts awarded for newspaper printing, printing files of councils, and publishing Municipal Record, but job printing and binding shall be included in one proposal and contract.

The proposals for contracts shall be addressed to the City Controller and by him transferred to the chairman of the printing committee on or before three o'clock on the day provided for the letting of said contracts.

Each of said proposals shall be accompanied by a bond, with two sufficient sureties in double the amount of the bid, conditioned for the faithful performance of the obligations of such contracts.

On the first Monday in January 1878, and annually thereafter, the committee on city printing shall meet in the office of the city clerk at 7½ o'clock, P. M. and proceed publicly to open the said proposals and award the respective contracts to the lowest responsible bidders, in the manner provided by ordinance.

Which prevailed,

And the bill as amended was read a second time and agreed to.

And the title was read.

Mr. Pier moved

To amend the title to read as follows:

An Ordinance—Amending Sections 1, 3, 13 and 14 of an ordinance entitled "An ordinance regulating the manner of letting the public printing and prescribing the manner of doing the same," passed March 29th, 1875.

And the title as amended was read and agreed to.

Mr. Pier moved

To suspend the rule to allow the third reading and final passage of the bill.

Which prevailed.

And the bill was read a third time and agreed to.

And on the question "Shall the bill pass finally," the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Bigham, Blume, Dierst, Doyle, Egan, Forsythe, Frauenheim, French, Fennerty, Foley, Gallisath, Gallagher, Johnston, Kinzer, Kemler, Kohne, McClarran, (R. M.) McClarran, (Newton) Nantker, O'Donnell, Pier, Rahauser, Rea, Renziehausen, Schuman, Schwarm, Thompson, Voskamp, Walker, Wamhoff, Weissner, Young, Negley,

President—34.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

No. 308, C. C. A report of the Viewers, and assessment for the grading, paving and curbing of Second avenue from Cross street to the Railroad crossing at Glenwood.

In C. C. November 12th, action postponed.

Mr. Thomson moved

To refer the report back to the Viewers.

Which did not prevail.

Mr. Pier moved

The approval of the report.

Which motion prevailed.

Mr. Thomson, by leave, presented,

No. 386. Report of the Viewers on the damages caused by the grading of Sylvan avenue extension from Sylvan avenue to Hazelwood avenue.

Which was approved.

BUSINESS FROM SELECT COUNCIL.

No. 517, S. C. Resolution for the appointment of a Special Committee to confer with the officers of the Pennsylvania Railroad Company relative to certain changes that can be made, or are found necessary to be made, in the contract made between the City of Pittsburgh and the Pennsylvania Railroad Company, dated December 24th, A. D., 1872.

In S. C. November 26th, Passed finally.

In which action C. C. concurred.

And Messrs. **Aull**, **Foley** and **Bigham** were appointed on part of Common Council.

Mr. Aull moved,

That C. C. Bill, No. 245, An ordinance entitled "An ordinance authorizing certain changes to be made in the contract made between the City and the Pennsylvania Railroad Company, dated December 24th, A. D., 1872," be referred to the Special Committee appointed under S. C. resolution No. 517.

Which motion prevailed.

No. 512 S. C. Report from the Committee on Gas Lighting for the month of October.

In S. C. November 26th, read and accepted.

In which action C. C. concurred.

No. 513 S. C. Resolution for the erection of public gas lamps by the Pittsburgh Gas Company.

In S. C. November 26th, passed finally.

Mr. Rea moved

To non-concur in the action of Select Council.

Which motion prevailed.

No. 514. A resolution authorizing the erection of public gas lamps by the South Side Gas Company.

In S. C. November 26th, passed finally.

Which, the rule having been suspended, was read three times and finally passed.

No. 493 S. C. A communication from Wm. Mazet dedicating to public use forever, the ground for an alley in the Sixteenth ward running parallel to and between Elm and Cedar streets from Main street to alley about six hundred feet west thereof.

In S. C. November 26th, read and accepted and ordered to be filed.

In which action C. C. concurred.

Mr. Aull moved

To reconsider the vote by which C. C. bill No. 245, An ordinance entitled "An ordinance authorizing certain changes to be made in the contract made between the City of Pittsburgh and the Pennsylvania Railroad,

dated December 24th, A. D. 1872," was referred to the Special Committee appointed under S. C. resolution No. 517.

Mr. Thomson demanded the calling of the ayes and noes on the motion.

And the demand being sustained, the call was ordered and taken, and were:

Ayes—Messrs. Aull, Bigham, Forsythe, French, Gallisath, Gallagher, Johnston, Kinzer, Kemler, Kohne, McClarran, (R. M.) McClarran, (Newton) Nantker, Rahausser, Schwarm, Thomson, Wainwright, Weissner, Negley, President—19.

Noes—Messrs. Blume, Dierst, Doyle, Egan, Frauenheim, Fennerty, Foley, O'Donnell, Pier, Rea, Renziehausen, Schuman, Voskamp, Walker, Wamhoff, Young—16.

So the motion prevailed.

Mr. Egan moved

To adjourn.

On which a division was had, and the ayes were 15 and the noes were 20.

So the motion did not prevail.

And the question recurring on the motion to refer the bill (No. 245 C. C.) to the special Committee appointed under S. C. resolution No. 517.

A division of the vote was had, and the ayes were 16, and the noes were 19.

So the motion did not prevail.

Mr. Thomson moved

The final passage of the bill.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aull, Bigham, Dierst, Forsythe, French, Gallisath, Gallagher, Kinzer, Kemler, Kohne, McClarran, (R. M.) McClarran, (Newton) McKinley, Nantker, Rahausser, Schwarm, Thomson, Wainwright, Weissner, Negley, President—20.

Noes—Messrs. Blume, Doyle, Egan, Frauenheim, Fennerty, Foley, Johnston, O'Donnell, Pier, Rea, Renziehausen, Schuman, Voskamp, Walker, Wamhoff, Young—16.

And a majority of the votes of Common Council not being in the affirmative the bill failed to pass.

Mr. Aull moved

To refer the bill to the Special Committee appointed under S. C. Resolution No. 517.

On which a division of the vote was had, and the ayes were 14 and the noes were 18.

So the motion did not prevail.

No. 311, C. C. Report of the Viewers of Street Improvements on the damages and benefits caused by the grading of Brownsville and Washington avenues from Carson street to City line.

In C. C. November 12th, approved.

In S. C. November 26th, Recommended to Board of Viewers with instructions to give the parties in interest a re-hearing on facts alleged in petition.

Mr. Foley moved

That Common Council refuse to concur in the action of Select Council and adhere to former action.

Which motion prevailed.

No. 515, S. C. Report from the Committee on Allegheny Wharf, for the month of October.

In S. C. November 26th, read and accepted.

In which action C. C. concurred.

No. 498, S. C. Resolution for refunding of overpaid taxes to Mary McGrew and Joseph Erny.

In S. C. November 26th, passed finally.

Which, the rule having been suspended,

was read three times and passed.

No. 511, S. C. Report from the Committee on Finance, returning, with negative recommendation, sundry petitions for abatement of business tax.

In S. C. November 26th, read and accepted. In which action C. C. concurred.

No. 500, S. C. Resolution requesting the Senators and Representatives in the Legislature of Pennsylvania, from the City and County, to oppose the passage of any bill for the removal of the Pest Hospital.

In S. C. November 26th, passed finally,

Which, the rule having been suspended, was read three times and finally passed.

No. 502, S. C. Resolution directing the Street Commissioner of the Seventh district to lay a side walk on Carson street in front of property of Wm. McCully & Co.

In S. C. November 26th. Passed, Which was read.

Mr. **Fennerty** moved

To refer the resolution to the Committee on Streets.

Which prevailed.

Mr. **Thomson** presented

No. 387. Resolution directing the City Controller to pay certain fees to B. F. Kennedy, Prothonotary of Allegheny County.

Which was referred to the Committee on Finance.

Mr. **Foley** presented

No. 388. Petition of Anthony McHugh for abatement of business tax.

Which was referred to the Committee on Finance.

Adjourned.

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

VOL. 10. MONDAY, DECEMBER 17, 1877. NO. 36.

Municipal Record.

SELECT COUNCIL.

DAVID AIKEN, JR.....PRESIDENT.
E. S. MORROW.....CLERK.

PITTSBURGH, December 17th, 1877.

Council met, pursuant to adjournment:

Present—Messrs. Barekley, Baum, Bradley, Brown, (L. T.) Brown, (Sam'l S.) Buckley, Burns, Chambers, Costillo, Dannals, Duff, Evans, Foster, (Alex. W.) Fox, Fullerton, Garrison, Gourley, Gray, Hays, Hilger, Hoeh, Holliday, Kelly, Kennedy, Kernan, Kerr, Littell, Meyer, Miller, Moore, (W. J.) McCandless, MacConnell, McClurg, McKinley, Nisbett, Noble, Nusser, O'Donnell, O'Neil, Owens, Patterson, Powers, Rodgers, Rolfe, Shipton, Sorg, Taylor, Weigand, Watson, Aiken—President.

Absent—Messrs. Ahl, Atkinson, Boyd, Bruce, Darlington, Fagin, Felker, Flannery, Foster, (W. S.) Herron, Holmes, Lagerman, Lambie, Lappan, Moore, (Wm.) Nantker, Negley, Reiman, Schild, Schwarm, Sterling, Welsh.

The minutes of the meeting of December 10th, were read and approved.

The **President** presented.

[531.] A communication from the Fire Commission in relation to placing five hundred feet of hose in the Engine House of the Monongahela Incline Plane.

Which was read and received.

ALSO,

[532.] A communication from the Board of Assessors returning to Councils sundry petitions for the abatement of business tax referred to them November 26th, with information that they had no power in the premises.

Which was read, received.

Mr. **Littell** moved

That the petitions be filed.

Which motion prevailed.

The following business from COMMON COUNCIL was taken up.

Reports from the Board of Viewers of Street Improvements.

C. C. No. 366. On the damages caused by the grading of Thirty-third street from Liberty street to Heiron avenue.

In Common Council, November 26th, read and approved.

In which action Select Council concurred.

No 367. C. C. On the cost of construction of a bridge over Boundary street on the line of Forbes street.

In C. C. November 26th, approved.

In which action Select Council concurred.

Preliminary Reports from the Board of Viewers of Street Improvements, under Act May 1st, 1876 as follows:

No. 314. C. C. On the grading of Basin alley from Elm street to Washington street.

In C. C. October, 29th read and received.

No. 365. C. C. On Second avenue sewer from Market street to Wood street.

In Common Council November 26th read and received.

No. 313. C. C. On the grading and paving of Exchange alley from Evans alley to a point 100 feet east of the east side of Fourth street.

In Common Council October 29th read and received.

In all of which action Select Council concurred.

Reports from committees as follows:

C. C. 277. Police for August.

C. C. 278. Monongahela wharf for June.

C. C. 279. Monongahela wharf for September.

C. C. 296. Streets for September.

C. C. 320. Police for September.

C. C. 322. Printing for September.

C. C. 324. Monongahela Wharf for September.

C. C. 345. Streets for October.

C. C. 351. Police for October.

C. C. 355. Monongahela Wharf for October.

C. C. 356. Printing for October.

C. C. 261. Streets for August.

C. C. 368. Printing for October.

Which in Common Council were read and received.

In which action Select Council concurred.

C. C. 369. Report from the Committee on Appeals recommending certain exonerations of taxes.

In C. C. read and approved.

In which action Select Council concurred.

C. C. 281. Resolution exonerating certain persons from the payment of taxes.

In Common Council read three times and passed.

In which action Select Council concurred.

Mr. **McCandless**, by leave presented.

[533.] A report from the Water Committee covering a statement of expenditures for the month of November.

Which was read and received.

C. C. 281. Resolution refunding overpaid taxes.

In C. C. Read three times and passed.
In which action Select Council concurred.
S. C. 389. Resolution authorizing the refunding of overpaid taxes.
In Select Council, October 8th action postponed until next meeting.

Was, the rule having been suspended, read a third time and finally passed.

C. C. 328. Resolution for a warrant in favor of A. B. Boal for refunding overpaid taxes.

In C. C. read three times and passed.
In which action Select Council concurred.
C. C. 329. Resolution authorizing the City Attorney to employ D. T. Watson, Esq., to assist in the preparation and trial of the case of Bidwell plaintiff in error vs. the City of Pittsburgh, defendant in error but plaintiff below.

In Common Council read three times and passed.

In which action Select Council concurred.
C. C. 352. Report from Committee on Police covering and recommending the passage of resolution for payment of the claim of Continental Restaurant for meals furnished the Washington Infantry during the riot of July 1877.

Which in C. C. was read and received.
In which action Select Council concurred.
C. C. 353. Resolution for a warrant in favor of the Continental Restaurant for seven hundred and twenty-five dollars for meals furnished the Washington Infantry during riot of July 1877.

Which in Common Council was read three times and passed.

In which action Select Council concurred.
C. C. 325. Resolution relative to the funding of the City's indebtedness.

In Common Council read three times and passed.

In which action Select Council concurred.
C. C. 224. Resolution for furnishing blanks to members of Councils for resolutions and Ordinances.

In Common Council passed finally.
In Select Council on motion of Mr. Dannalls laid on the table.

C. C. 335. Report from Water Committee returning with a negative recommendation petition of Philip Drum for refunding of overpaid Water rent.

In Common Council, Read and received.
In Select Council, read, received and approved.

C. C. 324. Report from Committee on Monongahela Wharf recommending Councils to postpone the election of a South Side Wharf Master.

In Common Council read and adopted.
In which action Select Council concurred.

C. C. 350. A communication from Board of Viewers in relation to the damage by grade on Brownsville avenue.

In Common Council read and received.
In which action Select Council concurred.

Mr. MacConnell, by leave, from the Road Committee.

Affirmatively as committed.
C. C. bill No. 380. An Ordinance entitled "An Ordinance vacating Finley street from Lake street to Spring street."

Which was read.

Mr. MacConnell moved
That the rule be suspended to allow the third reading and final passage of the bill.

On which motion a division was had and there were twenty four ayes and eight noes, so the motion prevailed.

And the rule having been suspended,
The bill was read a second time and agreed to.

And the title was read and agreed to.
And the bill was read a third time and agreed to.

And on the question "Shall the bill pass finally," the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Atkinson, Barckley, Baum, Bradley, Brown, (L. T.) Brown, (Sam'l S.) Buckley, Burns, Chambers, Costillo, Duff, Evans, Foster, (Alex. W.) Fox, Fullerton, Garrison, Gourley, Gray, Hays, Hilger, Hoeh, Holliday, Kelly, Kennedy, Kernan, Kerr, Littell, Meyer, Miller, Moore, (W. J.) McCandless, MacConnell, McClurg, McKinley, Nisbett, Noble, Nusser, O'Donnell, Owens, Patterson, Powers, Rolfe, Shipton, Sorg, Weigand, Watson, Aiken, President—47.

Noes—Mr. Dannalls—1.
And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Also from the same Committee.
Affirmatively as Committed.

C. C. Bill No. 379. An Ordinance entitled "An Ordinance vacating a portion of a township road known as the "Pucketty Road" from Lincoln Avenue to Armstrong alley."

Which was read.
Mr. MacConnell moved
That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.
And the rule having been suspended

The bill was read a second time and agreed to.

And the title was read and agreed to.
And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Atkinson, Barckley, Baum, Bradley, Brown, (L. T.) Brown, (Sam'l S.) Burns, Chambers, Costillo, Evans, Foster, (A. W.) Fox, Fullerton, Gourley, Gray, Hays, Hilger, Hoeh, Holliday, Kelly, Kennedy, Kernan, Kerr, Littell, Meyer, Miller, McCandless, MacConnell, McClurg, McKinley, Nisbett, Noble, Nusser, O'Donnell, Owens, Powers, Rodgers, Rolfe, Sorg, Taylor, Weigand, Watson, Aiken, President—43.

Noes—None.
And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Mr. Shipton, from the Finance Committee.

Affirmatively as amended in Committee.

S. C. Bill, No. 480. An Ordinance entitled "An Ordinance extending the time for the payment of the moneys on deposit in the United Savings Bank by virtue of said bank being a depositary of the City of Pittsburgh."

Which was read.
Mr. Shipton moved

To suspend the rule for the third reading and final passage of the bill.

Which motion prevailed.
And the rule having been suspended,

The bill was read a second time and agreed to.

And the title was read and agreed to.
And the bill was read a third time and agreed to.

And on the question "Shall the bill pass finally?" the ayes and noes were taken

agreeably to law, and were:

Ayes—Messrs. Barkley, Baum, Brown, (L. T.) Evans, Foster, (Alex. W.) Gourley, Gray, Hoeh, Holliday, Kennedy, Kerr, Meyer, Moore, (W. J.) McCandless, MacConnell, McClurg, McKinley, Nisbett, Noble, Owens, Powers, Rolfe, Shipton, Watson, Aiken, President—25.

Noes—Messrs. Bradley, Buckley, Burns, Chambers, Costello, Dannals, Duff, Fox, Fullerton, Hays, Hilger, Kernan, Miller, Nusser, O'Donnell, O'Neil, Patterson, Rodgers, Sorg, Taylor, Weigand—21.

And a majority of the votes of Select Council not being in the affirmative the bill did not pass finally.

Also from the same Committee, Affirmatively as committed.

S. C. Bill, No. 499. An ordinance entitled "An ordinance directing the investment of the Hallman Bequest in registered United States Bonds."

Which was read.

Mr. Shipton moved

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended, the bill was read a second time and agreed to.

And the title was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Atkinson, Barkley, Baum, Bradley, Brown, (L. T.) Buckley, Burns, Chambers, Costello, Foster, (Alex. W.) Fox, Garrison, Gourley, Gray, Hays, Hilger, Hoeh, Holliday, Kelly, Kernan, Kerr, Littell, Miller, Moore, (W. J.) MacConnell, McKinley, Nisbett, Noble, Nusser, O'Donnell, O'Neil, Owens, Powers, Rolfe, Watson, Aiken, President—36.
Noes—None.

And a majority of the votes of Select Council not being in the affirmative the bill did not pass finally.

Also from the same Committee.

[537.] A report covering and recommending the passage of C. C. resolution No. 387, a resolution directing the payment of certain costs to B. F. Kennedy, Prothonotary.

Which was read and received.

Also,

C. C. 387. Be it resolved by the City of Pittsburgh in Select and Common Councils assembled, and it is hereby resolved by the authority of the same, That the City Controller shall be and he is hereby authorized and empowered to pay to B. F. Kennedy, Prothonotary of Allegheny County, certain fees due him for the entering of liens and issuing scias thereon and the narr fees in other City cases required by law to be paid by the City, and charge the same to Appropriation No. 30.

Which was read.

And the rule having been suspended the resolution was read a second and third time and agreed to and finally passed.

Also, from the same Committee.

[538.] A report covering and recommending the passage of a resolution in relation to the City Depositaries.

Which was read and accepted.

Also,

[539.] Resolved, that the City Treasurer be and he is hereby instructed that the term of the First National Bank, Allegheny National Bank and Farmer's Deposit National Bank as depositaries of the public funds of

the City commence with the date of their qualifications as such depositaries, viz: December 10th, 1877.

Which was read,

And the rule having been suspended, the resolution was read a second and third times and agreed to and finally passed.

Also, from the same Committee.

[540.] A report covering and recommending the passage of S. C. No. 474, a resolution for the removal of scales from Liberty street to Eleventh street.

Which was read and accepted.

Also,

[474.] Resolved, (Common Council concurring) That the Finance Committee be and they are hereby directed to remove the scales from Liberty street to Tenth street, provided the Adams Express Company pay the cost of removal.

Which was read,

And the rule having been suspended, the resolution was read a second and third times and agreed to and finally passed.

Also, from the same Committee.

[541.] A report recommending the payment of claims of Alex. W. Foster, Jr., and James Reno.

Which was read and accepted.

Also,

[542.] Resolved, That the City Controller be and he is hereby authorized to issue warrants to the parties here named and for amounts as stated, and charge the same to Contingent Fund. Alexander W. Foster, Jr., \$48.00, James Reno \$36.00.

Which was read.

And the rule having been suspended the resolution was read a second and third times and agreed to and finally passed.

Also, from the same Committee.

Affirmatively.

[543.] Resolved, That the City Controller be and he is hereby authorized to issue his certificate on the Mayor for a warrant in favor of K. Bracken on account of School alley and charge the same to Contingent Fund.

Which was read.

The Clerk of Common Council having been introduced presented the following business for concurrence.

REPORTS.

No. 382. C. C. Committee on Streets for November.

C. C. read and accepted.

No. 384. C. C. Committee on Police for November.

C. C. read and accepted.

No. 385. C. C. Committee on Monongahela Wharf for November.

C. C. read and accepted.

ORDINANCES.

No. 334. C. C. An Ordinance entitled: An Ordinance amending sections one, three, thirteen and fourteen of an Ordinance entitled: "An Ordinance regulating the manner of letting the public printing and prescribing the manner of doing the same, passed 29th March, 1875."

C. C. passed finally.

Also, announced, that Common Council had concurred in the action of Select Council had on the following business.

No. 517. S. C. Resolution for the appointment of a Special Committee to confer with the officers of the Pennsylvania Railroad Company relative to certain changes in contract between City of Pittsburgh and

Pennsylvania Railroad Company.

No. 512. S. C. Report from Committee on Gas Lighting for the month of October.

No. 515. S. C. Report from Committee on Allegheny wharf for the month of October.

No. 511. S. C. Report from the Committee on Finance returning with negative recommendation sundry petitions for abatement of business tax.

No. 513. S. C. Resolution for the erection of public gas lamps by the Pittsburgh Gas Company.

No. 514. S. C. Resolution for the erection of public gas lamps by the South Side Gas Company.

No. 493. S. C. A communication from Wm. Mazet dedicating to public use forever, the ground for an alley in the Sixteenth ward, running parallel to and between Elm and Cedar streets.

No. 498. S. C. Resolution for refunding of overpaid taxes to Mary McGrew and Joseph Erny.

No. 500. S. C. Resolution requesting the Senators and Representatives in the Legislature from the City and County to oppose the passage of any bill for the removal of the Pest Hospital.

Mr. **MacConnell**, by leave, presented, [534.] Petition for the opening of Melton street, between Stanton Avenue and McCully street.

AND

[535.] Petition for the opening of Negley avenue, between Stanton avenue and McCully street.

Which were referred to the Road Committee.

Mr. **L. T. Brown**, by leave,

[536.] Petition of David Thomas for an exoneration of personal taxes.

Which was referred to the Board of Assessors.

The **President**.

[544.] A report from the City Treasurer in answer to S. C. No. 527, a resolution requiring a detailed statement of the amounts of City moneys deposited in the United Savings Bank, and the dates of the deposits for one year prior to the suspension of said Bank.

Which was received.

Mr. **Barckley**, by leave,

[545.] An ordinance authorizing the construction of a board-walk on Cassatt and Crescent streets.

Which was referred to the Street Committee.

Mr. **Evans** called up.

C. C. Bill No. 306. An ordinance entitled "An ordinance granting certain privileges to the Pittsburgh and Lake Erie Railroad Company and the Pittsburgh and Castle Shannon Railroad Company."

Which was in Select Council, December 10th, amended.

Which was read a second time as amended, and agreed to.

Mr. **Evans** moved,

That the rule be suspended to allow the third reading and final passage of the bill, Which motion prevailed.

And the rule having been suspended,

The bill was read a third time and agreed to.

Mr. **Powers** moved the previous question. And the motion for previous question having been sustained.

The question "Shall the main question be now put?" was decided in the affirmative.

And on the question "Shall the bill pass finally", the ayes and noes were taken agreeably to law, and were,

Ayes — Messrs. Baum, Brown, (Sam'l S.) Buckley, Costello, Dannels Duff, Evans, Foster, (Alex. W.) Fox, Fullerton, Garrison, Gourley, Gray, Hays, Hilger, Hoeh, Holliday, Kelly, Kennedy, Kerr, Meyer, Miller, Moore, (W. J.) McCandless, MacConnell, McKinley, Nisbett, Noble, Nusser, O'Donnell, O'Neil, Patterson, Powers, Rodgers, Rolfe, Shipton, Taylor, Weigand, Aiken, President.

Noes — Messrs. Barckley, Brown, (L. T.) Burns, Chambers, Kernan, Littell, Owens, Watson.

Before the announcement of the vote the following members asked and obtained leave to change their votes from "No" to "Aye": Messrs. Barckley, Brown, (L. T.) Burns, Chambers and Littell.

And the ayes were forty-four (44),

And the noes were three (3).

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Mr. **Littell** moved

That when Council adjourn it adjourn to meet on Monday next (December 24th) at two and a half o'clock.

Mr. **O'Donnell** moved

To amend by substituting Wednesday (December 26th).

Which motion did not prevail.

And the original motion was decided in the affirmative.

Mr. **Noble** by leave, called up

C. C. Bill, No. 204. An ordinance entitled "An ordinance locating Fetzer street from Bertha street to Kirkpatrick street."

Which was read.

Mr. **Noble** moved

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended,

The bill was read a second time and agreed to.

And the title of the bill was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken agreeably to law, and were:

Ayes — Messrs. Barckley, Baum, Brown, (L. T.) Buckley, Burns, Duff, Evans, Foster, (Alex. W.) Fox, Fullerton, Gray, Hays, Hilger, Kelly, Kernan, Kerr, Littell, Meyer, McCandless, McKinley, Nisbett, Noble, Nusser, O'Donnell, Owens, Patterson, Powers, Rodgers, Rolfe, Taylor, Weigand, Watson, Aiken, President — 33.

Noes — None.

And a majority of the votes of Select Council not being in the affirmative the bill did not pass finally.

The **President** announced the appointment of the following members on the part of Select Council on Joint Special Committees:

On C. C. No. 325. Resolution relative to the funding of the City's Indebtedness, Messrs. **Kennedy** and **Lambie**.

On S. C. No. 517. Resolution for the appointment of a Committee to confer with the officers of the Pennsylvania Railroad Comp'y, Messrs. **Herron** and **MacConnell**.

And on motion Council adjourned.

COMMON COUNCIL.

W. B. NEGLEY.....PRESIDENT,
GEORGE BOOTH.....CLERK.

PITTSBURGH, December 17th, 1877.

Council met pursuant to the following call:

Pittsburgh, December 13th, 1877

GEO. BOOTH, Esq.,

Clerk of Common Council.

You will please call a special meeting of Common Council for the purpose of considering the ordinance relating to the extension of time of payment of mowies due the City by the United Savings Bank, and other important business, including the proposed change of contract with the Pennsylvania Railroad Company.

W. B. NEGLEY,

President Common Council.

Present—Messrs. Aull, Belfore, Bigham, Blume, Dierst, Doyle, Egan, Frauenheim, French, Gallisath, Gallagher, Higgins, Hanlon, Hogle, Kinzer, Kirchner, Kohne, Manning, McClarran, (R. M.) McKinley, Nantker, Pier, Rabauser, Rea, Renzelausen, Schuman, Schwarm, Thomson, Voskamp, Wainwright, Walker, Wanhoff, Weissner, Young, Negley, President.

Absent—Messrs. Forsythe, Fennerty, Foley, Johnston, Kemler, McClarran, (Newton) McCafferty, O'Donnell.

The minutes of the meeting of December 10th were read and approved.

The clerk of Select Council having been introduced presented the following papers for concurrence:

527 S. C. Report from the Committee on Markets for November.

In S. C. December 10th. Received.

S. C. 526. Report from the Committee on City Property for November.

In S. C. December 10. h. Received.

No 526 S. C. Report from the Finance Committee covering and recommending the passage of a resolution for warrants in favor of the employees in the City Assessors' office on Appropriation No. 39.

In S. C. December 10th. Received.

S. C. No. 525. Resolution for warrants in favor of the employees of the City Assessors, chargeable to Appropriation No. 39.

In S. C. December 10th. Read three times and passed.

And also announced that Select Council had concurred in the action of Common Council on the following papers:

Report of the Board of Viewers of street improvements on the cost of the construction of a sewer on Beech alley from Gist street to the Forbes street sewer.

An ordinance authorizing the grading of Basin alley.

An ordinance fixing the grade of Smallman street from Thirteenth street to an alley in the rear of lots fronting on Thirtieth street.

Mr. Pier moved

That the rule be suspended to allow the taking up of business, other than the special order, in the usual order.

Which prevailed.

Mr. Kinzer presented,

No. 389. Petition of Michael Cahill for abatement of business tax.

Which was referred to the Committee on Finance.

Mr. Bigham presented,

No. 390. Petition of Eliza Smith for abatement of taxes.

Which was referred to the Board of Assessors.

Mr. Aull presented the following:

No. 391. Resolved. That the City Attorney be and he is hereby requested to prepare and submit to the Finance Committee at their next meeting an ordinance repealing the present mode of levying business tax, and providing for the issuing of a business license in lieu thereof

Which was read.

Mr. Aull moved

That the rule be suspended to allow the passage of the resolution.

Which prevailed.

And the resolution was read a second and third time and finally passed.

BUSINESS FROM SELECT COUNCIL.

No. 524. Report from the Committee on Finance covering and recommending the passage of No. 525. Resolution for payment of the employees of the Board of Assessors from appropriation No. 39.

In S. C. December 10, 1877. Read and accepted

In which action C. C. concurred.

No. 525 S. C. Resolution authorizing the Controller to issue his certificate on the Mayor for warrants in payment of the employees of the Board of Assessors Department to the amount of twelve hundred and seventy-nine dollars and fifty cents and charge the same to appropriation No. 39. Repaving Fund.

In S. C. December 10, 1877 passed finally.

Which was read,

And on motion of Mr. Thomson the rule was suspended, and the resolution was read a second and third time and finally passed.

No. 526 S. C. Report from the Committee on City Property for November.

In S. C. December 10, 1877. Read and accepted.

In which action C. C. concurred.

No. 527. S. C. Report from the Committee on Markets for November.

In S. C. December 12, 1877. Read and accepted.

In which action C. C. concurred.

No. 510. S. C. An Ordinance entitled "An Ordinance authorizing the issue of bonds to provide for the completion of the New Water Works of the City of Pittsburgh."

In S. C. December 10th, passed finally.

Which was read.

Mr. Pier moved

To reconsider the action had on No. 311. C. C. Report of the Viewers of Street Improvements on the damages and benefits caused by the grading of Brownsville avenue, Washington avenue from Carson street to the City Line.

Which in C. C. November 12th was approved.

In S. C. November 26th Recommended to the Board of Viewers with instruction to give the parties in interest a re-hearing on facts alleged in petition.

C. C. December 10th Refuse to concur in the action of S. C. and adhere to former action.

Which motion prevailed.

And the question recurring on the motion to "refuse to concur in the action of S. C. and adhere to former action" the motion did not prevail

Mr. Pier moved,

To recede from former action in the

approval of the report, and concur in the action of S. C. in recommitting the same to the Board of Viewers to give parties in interest a rehearing on facts alleged in petition.

Which motion prevailed.

Mr. Egan moved,

To reconsider the action had in the approval of No. 308 C. C., Report of the Viewers and assessment for the cost of the grading, curbing and paving of Second avenue from Cross street to the railroad crossing at Glenwood."

Which motion prevailed.

Mr. Thomson presented.

[392.] A petition asking that the Report be returned back to the Board of Viewers for reconsideration and re-adjustment of the assessments.

Which was read and received.

And the question recurring on the motion to approve the report.

The motion did not prevail.

Mr. Aull moved

That the report together with the petition for re-consideration be re-committed to the Board of Viewers.

Which motion prevailed.

Mr. Aull called up

No. 245, C. C. An ordinance entitled "An ordinance authorizing certain changes to be made in the contract made between the City of Pittsburgh and the Pennsylvania Railroad Company, dated December 24th, A. D., 1872."

Which in C. C., December 10th, failed to pass for want of a legal majority.

Which was read.

And Mr. Aull moved

The final passage of the bill.

And on the question "Shall the bill pass finally," the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Bigham, Blume, Dierst, Franenhein, French, Gallisath, Gallagher, Higgins, Hanlon, Kinzer, Kirchner, Kohue, Manning, McClarran, (R. M.) McKinley, Nantker, Rahausser, Schwarm, Thomson, Wainwright, Weisser, Neg ey, President—23.

Noes—Messrs. Belfore, Doyle, Egan, Hogle, Pier, Rea, Renziehausen, Schuman, Voskamp, Walker, Wamhoff, Young—12.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

Adjourned.



Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

VOL. 10. MONDAY, DECEMBER 24, 1877. NO. 37

Municipal Record.

SELECT COUNCIL.

DAVID AIKEN, JR.....PRESIDENT.
E. S. MORROW.....CLERK.

PITTSBURGH, December 24th, 1877.

Council met pursuant to adjournment.

Present—Messrs. Ahl, Bradley, Brown, (L. T.) Chambers, Dannals, Duft, Fagin, Fullerton, Garrison, Herron, Hilger, Holliday,

Littell, MacConnell, McClurg, McKinley, Negley, O'Neil, Patterson, Rodgers, Taylor, Weigand, Welsh, Aiken—President.

Absent—Messrs. Atkinson, Barckley, Baum, Boyd, Brown, (Sam'l S.) Bruce, Buckley, Burns, Costillo, Darlington, Evans, Felker, Flannery, Foster, (Alex. W.) Foster, (W. S.) Fox, Gourley, Gray, Hays, Hoeh, Holmes, Kelly, Kennedy, Kernan, Kerr, Lagerman, Lambie, Lappan, Meyer, Miller, Moore, (Wm.) Moore, (W. J.) McCandless, Nantker, Nisbett, Noble, Nusser, O'Donnell, Owens, Powers, Reiman, Rolfe, Schild, Schwarm, Shipton, Sorg, Sterling, Watson.

And there being no quorum

Council adjourned till Friday, Dec. 28th, at 2 o'clock, P. M.

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

VOL. 10. MONDAY, DECEMBER 28, 1877. NO. 38

Municipal Record.

JOINT SESSION.

PITTSBURGH, December 28th, 1877.

Councils met in joint session in pursuance of a special call to take action in regard to the death of Mr. **Jas. Boyd**, member of Select Council from the Ninth ward.

Mr. **Littell** moved,

The appointment of a Committee of three members from each branch to prepare

resolutions and report at next regular meeting of Councils.

Which motion prevailed, and Messrs. **Littell, Ahl**, and **Reiman** of Select, and Messrs. **Hanlon, Pier** and **Johnston** of Common Council were appointed.

Mr. **Rodgers** moved,

That a Committee of four from each branch be appointed to attend the funeral.

Which motion prevailed.

And Messrs. **Gourley, Reiman, Rodgers** and **O'Neil** from Select and Messrs. **Thomson, Wamhoff, Belfore**, and **Nantker** from Common Council were appointed.

And on motion Councils adjourned.

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

VOL. 10. MONDAY, DECEMBER 28, 1877. NO. 39.

Municipal Record.

SELECT COUNCIL.

DAVID AIKEN, JR.....PRESIDENT.
E. S. MORROW.....CLERK.

PITTSBURGH, December 28th, 1877.

Council met pursuant to adjournment.

Present—Messrs. Ahl, Barckley, Baum, Bradley, Brown, (L. T.) Brown, (Sam'l S.) Bruce, Buckley, Burns, Chambers, Costillo, Duff, Evans, Fagin, Felker, Foster, (Alex. W.) Fullerton, (W. S.) Fullerton, Gray, Hays, Herron, Hilger, Hoeh, Holliday, Kelly, Kennedy, Kernan, Kerr, Lappan, Littell, Meyer, Miller, Moore, (Wm.) McCandless, MacConnell, McKinley, Nantker, Negley, Nusser, O'Donnell, O'Neill, Owens, Patterson, Reiman, Rodgers, Rolfe, Schild, Schwarm, Sterling, Taylor, Weigand, Watson, Welsh, Aiken, President.

Absent—Messrs. Atkinson, Boyd, Dannals, Darlington, Flannery, Fox, Garrison, Gourley, Holmes, Lagerman, Lambie, Moore, (W. J.) Nisbett, Noble, Powers, Shipton, Sorg.

On motion of Mr. Nantker the reading of the minutes of the last meeting were dispensed with.

Mr. Holliday, by leave, called up

C. C. Bill No. 247, An ordinance, entitled "An ordinance granting to the Pittsburgh and Birmingham Passenger Railway Company the right to extend their tracks from Seventh avenue along Smithfield street to Liberty, thence along Liberty street to Union Depot."

Which was read.

Mr. Holliday moved,

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended, the bill was read a second time.

Mr. Watson moved to amend

By inserting the following proviso:

"Provided, That the said Pittsburgh and Birmingham Passenger Railway Company shall not stand or wait their cars on Liberty street, but shall establish a depot for said purpose on private property."

On which motion a division was had, and there were ten ayes and twenty-four noes, so the motion did not prevail.

Mr. Watson called for the reading of

C. C. No. 338. A remonstrance against the passage of the bill.

Which was read.

And the bill as read a second time was agreed to.

And the title of the bill was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Ahl, Atkinson, Baum, Bradley, Brown, (L. T.) Bruce, Buckley, Chambers, Duff, Evans, Felker, Foster, (Alex. W.) Fullerton, Gray, Hays, Herron, Hilger, Hoeh, Holliday, Kelly, Kennedy, Kernan, Kerr, Lappan, Littell, Meyer, Miller, McCandless, MacConnell, Nantker, Negley, Owens, Patterson, Rolfe, Taylor, Weigand, Welsh, Aiken, President—38.

Noes—Messrs. Barckley, Burns, Costillo, Fagin, McKinley, O'Neill, Sterling, Watson—8.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Mr. O'Neill presented the following:

[546.] WHEREAS, the fact of the sudden and much to be regretted death of Mr. James Boyd, late a member of this Council, having come to our knowledge, therefore be it

Resolved, That in respect to the memory of one who was an active and efficient member, we now adjourn for the purpose of attending his funeral in a body.

Which was read.

Mr. O'Neill moved,

To suspend the rule to allow the further consideration of the resolution, on which motion a division was had and there were six ayes and fifteen noes, so the motion did not prevail.

Mr. Littell, by leave, called up

C. C. Bill, No. 205. An ordinance entitled "An ordinance fixing the grade of the north curb of Center avenue from Hilland avenue to Neville street."

Which was read.

Mr. Littell moved,

To suspend the rule to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended the bill was read a second time and agreed to.

And the title was read and agreed to.

Mr. Littell moved,

The third reading of the bill.

Which motion prevailed.

And the bill was read a third time and agreed to.

And on the question "Shall the bill pass finally," the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Ahl, Atkinson, Barekley, Baum, Bradley, Brown, (L. T.) Bruce, Chambers, Costillo, Duff, Felker, Foster, (Alex. W.) Fullerton, Gray, Hays, Herron, Hilger, Hoeh, Holliday, Kelly, Kennedy, Kernan, Kerr, Lappan, Littell, Meyer, Miller, MacConnell, McKinley, Nantker, Negley, O'Donnell, O'Neil, Owens, Patterson, Reiman, Rodgers, Rolfe, Sterling, Taylor, Weigand, Welsh, Aiken, President—43.

Noes—None.
And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Mr. Taylor, by leave, called up,
C. C. Bill No. 206. An ordinance entitled "An ordinance establishing the grade of Thirty-fourth street, from Butler street to Smallman street."

Which was read.

Mr. Taylor moved,
To suspend the rule for the third reading and final passage of the bill.
Which motion prevailed.

And the rule having been suspended, the bill was read a second time and agreed to.

And the title was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Ahl, Atkinson, Barekley, Baum, Bradley, Brown, (L. T.) Bruce, Buckley, Burns, Chambers, Costillo, Duff, Evans, Fagin, Felker, Foster, (Alex. W.) Foster, (W. S.) Fullerton, Gray, Hays, Herron, Hilger, Hoeh, Holliday, Kelly, Kennedy, Kernan, Kerr, Lappan, Littell, Meyer, Miller, Moore, (Wm.) MacConnell, McKinley, Nantker, Negley, Nusser, O'Donnell, O'Neil, Owens, Patterson, Reiman, Rodgers, Rolfe, Schild, Sterling, Taylor, Weigand, Welsh, Aiken, President—61.

No—Mr. Watson—1.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Mr. Herron, by leave, called up,
S. C. Bill No. 480. An ordinance entitled "An ordinance, extending the time for the payment of the moneys on deposit in the United Savings Bank by virtue of said Bank being a depository of the City of Pittsburgh."

In S. C. December 17th, failed to pass for want of a legal majority.

And on the question "Shall the bill pass finally," the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Ahl, Atkinson, Baum, Bradley, Brown, (L. T.) Bruce, Buckley, Chambers, Evans, Fagin, Foster, (Alex. W.) Foster, (W. S.) Fullerton, Gray, Herron, Hoeh, Holliday, Kelly, Kennedy, Kerr, Lappan, Littell, Meyer, Miller, Moore, (Wm.) MacConnell, McKinley, Nantker, Negley, O'Neil, Owens, Patterson, Rolfe, Taylor, Welsh, Aiken, President.

Noes—Messrs. Burns, Costillo, Hays, Hilger, Kernan, Reiman, Rodgers, Schild, Sterling, Weigand, Watson.

Before the announcement of the result the following members asked and obtained leave to change their votes from "No" to "Aye": Messrs. Burns, Kernan and Rodgers.

And the ayes were thirty-nine, and the noes were eight.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. Littell, by leave, called up,
C. C. Bill No. 245. An ordinance entitled "An ordinance authorizing certain changes to be made in the contract made between the City of Pittsburgh and the Pennsylvania Railroad Company, dated December 24th, 1872."

Which was read.

Mr. Littell moved,
That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended the bill was read a second time,

Mr. Patterson moved,

To amend by the insertion of

SECTION 4. And the consent of the Pennsylvania Railroad Company is given to the insertion of the following in said contract of December 24th, 1872, and made a condition of same, to-wit: "In consideration of the grants, rights and privileges, made by the City of Pittsburgh to said Penn'a R. R. Co. the said Company hereby agrees, upon the conclusion and acceptance of the terms and conditions of this contract, and annually in the month of January, the Chamber of Commerce of Pittsburgh shall appoint two persons, and the said Railroad Company shall appoint two persons, and these four persons shall select a fifth person, and the five persons thus chosen shall at once, upon the best available data fix and determine the rates to be paid for the transportation of freights east and west from Pittsburgh, upon and over all Railroads owned, operated or controlled by the said Pennsylvania Railroad Co., said rates to be fixed in a fair pro rata of rates paid for THROUGH FREIGHT east and west of Pittsburgh, and the rates agreed upon by any three of the persons so appointed shall be final, and no deviation shall be made therefrom except as freight rates may be increased or decreased on such through freights, and no discrimination in charges or facilities for transportation of freights shall be made between Transportation Companies and individuals, or in favor of either, by abatement, drawback or otherwise, and at the suggestion of the Chamber of Commerce, the persons appointed as above provided shall be convened within the year to examine and enforce this provision.

On which motion the ayes and noes were demanded by Mr. Patterson.

And the demand being sustained were ordered to be taken and having been taken were:

Ayes—Messrs. Barekley, Burns, Duff, Fagin, Foster, (W. S.) Gray, Hays, Kelly, Nusser, O'Donnell, O'Neil, Patterson, Reiman, Sterling—14.

Noes—Messrs. Ahl, Atkinson, Baum, Bradley, Brown, (L. T.) Brown, (Sam'l S.) Bruce, Buckley, Chambers, Costillo, Evans, Foster, (Alex. W.) Fullerton, Herron, Hilger, Hoeh, Holliday, Kennedy, Kernan, Kerr, Lappan, Littell, Meyer, Miller, Moore, (Wm.) MacConnell, McKinley, Nantker, Negley, Owens, Rodgers, Rolfe, Schild, Taylor, Weigand, Watson, Welsh, Aiken, President—39.

So the motion did not prevail.

And the bill as read a second time was agreed to.

And the title was read and agreed to.

And the bill was read a third time and agreed to.

And on the question "Shall the bill pass finally?" the ayes and noes were taken agreeably to law and were:

Ayes—Messrs. Ahl, Baum, Bradley, Brown, (L. T.) Brown, (Sam'l S.) Bruce, Buckley, Chambers, Costillo, Duff, Evans, Felker, Foster, (Alex. W.) Fullerton, Gray, Herron, Hilger, Hoeh, Holliday, Kelly, Kennedy, Kernan, Kerr, Lappan, Littell, Meyer, Miller, Moore, (Wm.) MacConnell, McKinley, Nantker, Negley, Nusser, Owens, Patterson, Rodgers, Rolfe, Schild, Schwarm, Taylor, Weigand, Watson, Welsh, Aiken, President.

Noes—Messrs. Atkinson, Barckley, Burns, Fagin, Foster, (W. S.) Hays, O'Donnell, O'Neil, Reiman, Sterling.

Before the announcement of the result Mr. Fagin asked and obtained leave to change his vote from "No" to "Aye."

And the ayes were forty-five and the noes were nine.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Mr. **Taylor** by leave called up.

C. C. Bill No. 199. An Ordinance entitled "An Ordinance authorizing the grading and paving of Spring alley from Laurel avenue to Mary street."

Which was read once.

Mr. **Noble** moved,

That the rule be suspended to allow the third reading and final passage of the bill. Which motion prevailed.

And the rule having been suspended, The bill was read a second time and agreed to.

And the title of the bill was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" The ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Ahl, Barckley, Baum, Brown, (L. T.) Bruce, Buckley, Burns, Chambers, Costillo, Evans, Fagin, Felker, Foster, (A. W.) Fullerton, Gray, Hays, Herron, Hilger, Hoeh, Holliday, Kelly, Kennedy, Kernan, Kerr, Lappan, Littell, Meyer, Miller, McCandless, MacConnell, McKinley, Nantker, Negley, Owens, Patterson, Rolfe, Sterling, Taylor, Weigand, Watson, Welsh, Aiken, President—42.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. **MacConnell**, by leave presented the following:

[547] *Resolved*, That the City Controller be and he is hereby authorized and directed to issue his certificate on the Mayor for a warrant in favor of Will H. Sims for eleven dollars for services as page of Select Council and charge the same to appropriation, No. 3.

Which was read.

And the rule having been suspended, the resolution was read a second and third time, agreed to and finally passed.

Mr. **Ahl**, from the Street Committee,

Affirmatively as committed,

S. C. Bill No. 545. An ordinance entitled "An ordinance authorizing the construction of a boardwalk on Cassatt and Crescent streets, from north curb of Cliff street to a point 1066 feet east of Cassatt street."

Which was read once.

Mr. **Ahl** moved,

To suspend the rule for the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended, The bill was read a second time and agreed to.

And the title was read and agreed to.

And the bill was read a third time and agreed to.

And on the question "Shall the bill pass finally?" the ayes and noes were taken agreeably to law and were:

Ayes—Messrs. Ahl, Barckley, Baum, Bruce, Costillo, Duff, Evans, Fagin, Foster, (A. W.) Fullerton, Gray, Hays, Herron, Hilger, Hoeh, Kelly, Kennedy, Kernan, Kerr, Lappan, Littell, Meyer, Moore, (Wm.) MacConnell, McKinley, Nantker, Negley, Nusser, O'Donnell, Owens, Patterson, Reiman, Rodgers, Rolfe, Schild, Schwarm, Taylor, Welsh, Aiken, President—39.

Noes—Mr. Watson—1.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

The Clerk of Common Council having been introduced reported the following for concurrence.

No. 245, C. C. An ordinance entitled "An ordinance authorizing certain changes to be made in the contract made between the City of Pittsburgh and the Pennsylvania Railroad Company, dated December 24th, A. D., 1872."

In C. C. December 17th, passed finally.

No. 247 C. C. An ordinance entitled "An ordinance granting to the Pittsburgh and Birmingham Passenger Railway Company, the right to extend their tracks from Seventh avenue, along Smithfield street to Liberty, thence along Liberty street to the Union Depot."

In C. C. December 10th, passed finally.

No. 383 C. C. Remonstrance against granting the privilege to the Pittsburgh and Birmingham Passenger Railway Company to lay their tracks on Liberty street.

In C. C. December 10th, read and received.

No. 391 C. C. Resolution requesting the City Attorney to prepare an ordinance repealing the present mode of levying business tax, and providing for the issuing of a business license in lieu thereof

In C. C. December 17th, passed finally.

No. 386 C. C. Report of the Viewers on the damages and benefits caused by the grading of Sylvan avenue extension from Sylvan avenue to Hazelwood avenue.

In C. C. December 10th, approved.

And also announced that Common Council had concurred in the action had by Select Council on the following business.

No. 524. Report from the Committee on Finance covering and recommending the passage of No. 525. Resolution for payment of the employees of the Board of Assessors from appropriation, No. 39.

S. C. No. 525. Resolution for warrants in favor of the employees of the Board of Assessors, Department, chargeable to Appropriation, No. 39. Repaving Fund.

S. C. No. 528. Report from the Committee on City Property for November.

S. C. No. 527. Report from the Committee on Markets for November.

No. 311 C. C. Report of the Viewers of Street Improvements on the damages and benefits caused by the grading of Brownsville and Washington avenues.

Also, announced that Common Council had refused to concur in the action of Select Council had on,

No. 513 S. C. A resolution authorizing

the erection of public gas lamps by the Pittsburgh Gas Company.

Mr. **Hays**, by leave, called up,

C. C. Bill No. 299. An ordinance entitled "An ordinance authorizing the opening of Arch street from Cassatt street to Ledlie street."

Which was read.

Mr. **Hays** moved,

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended,

The bill was read a second time and agreed to.

And the title was read and agreed to.

And the bill was read a third time and agreed to.

And on the question "Shall the bill pass finally", the ayes and noes were taken agreeably to law, and were.

Ayes—Messrs. Ahl, Barckley, Baum, Bradley, Bruce, Costillo, Duff, Fagin, Foster, (A. W.) Fullerton, Gray, Hays, Herron, Hilger, Kel-

ly, Kennedy, Kernan, Kerr, Lappan, Littell, Meyer, MacConnell, McKinley, Negley, Nusser, O'Donnell, Owens, Patterson, Rodgers, Rolfe, Schild, Schwarm, Taylor, Weigand, Welsh—36.

Noes—Mr. Watson.

And a majority of the votes of Select Council not being in the affirmative the bill did not pass finally.

Mr. **Littell**, by leave, called up,

S. C. No. 513. Resolution authorizing the erection of public gas lamps by the Pittsburgh Gas Company.

In Select Council, November 28th, passed finally.

In which action, December 10th, Common Council refuse to concur.

And moved,

That Select Council adhere to former action and appoint a committee of conference.

Which motion prevailed.

And Messrs. **Littell** and **MacConnell** were appointed on the part of Select Council.

And on motion Council adjourned.

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

VOL. 10. MONDAY, DECEMBER 31, 1877. NO. 40.

COMMON COUNCIL.

W. B. NEGLEY.....PRESIDENT,
GEORGE BOOTH.....CLERK.

PITTSBURGH, December 31st, 1877.

Council met.

Present — Messrs. Aull, Belfore, Bigham, Blume, Dierst, Egan, Forsythe, Frauenheim, Foley, Gallisath, Hanlon, Hogle, Johnston, Kinzer, Kemler, Kirchner, Kohne, Manning, McClarran, (R. M.) McClarran, (Newton) McKinley, Nantker, Pier, Rahausen, Rea, Renziehausen, Thomson, Wainwright, Wamhoff, Weisser, Young, Negley, President.

Absent — Messrs. Doyle, French, Fennerty, Gallagher, Higgins, McCafferty, O'Donnell, Schuman, Schwarm, Voskamp, Walker.

On motion of Mr. **McClarran, (N.)** the reading of the minutes of the previous meeting was dispensed with.

The Clerk of the Select Council having been introduced presented the following papers for concurrence:

ORDINANCES.

S. C. No. 379. An ordinance vacating portions of a township road, known as the "Pucketty Road" from Lincoln avenue to Armstrong alley.

In S. C., December 17th, 1877, passed.

S. C. No. 380. An ordinance vacating Finley street from Lake street to Spring street, Twenty-first ward.

In S. C., December 17th, 1877, passed.

C. C. No. 306. An ordinance granting certain privileges to the Pittsburgh and Lake Erie Railroad Co., and the Pittsburgh and Castle Shannon R. R. Co.

In C. C. November 12th, 1877, passed.

In S. C., December 10th, 1877, amended.

In S. C., December 17th, 1877, passed.

S. C. No. 480. An ordinance extending the time for payment of moneys on deposit in United Savings Bank.

In S. C., December 28th, 1877, passed.

S. C. No. 545. An ordinance for the construction of a board-walk on Cassatt and Crescent streets from Cliff street to a point 1066 feet east of Cassatt street.

In S. C., December 28th, 1877, passed.

RESOLUTIONS.

S. C. No. 389. Resolution authorizing the refunding of over-paid taxes.

In S. C., December 17th, 1877, passed.

C. C. No. 387. Resolution directing the payment of certain costs to B. F. Kennedy, Prothonotary.

In S. C., December 17th, 1877, passed.

S. C. 474. Resolution for the removal of scales from Liberty street to Tenth street.

In S. C., December 17th, 1877, passed.

S. C. 547. Resolution for a warrant in favor of W. H. Sims, Page of S. C.

In S. C., December 28th, 1877, passed.

S. C. No. 542. Resolution for warrants in favor of A. W. Foster, Jr., and Jas. Reno.

In S. C., December 17th, 1877, passed.

S. C. No. 539. Resolution relating to City Depositaries.

In S. C., December 17th, 1877, passed.

S. C. No. 531. Communication from the Fire Commission in relation to placing hose in Monongahela Incline Plane office.

In S. C., December 17th, 1877, received.

S. C. 532. Communication from Board of Assessors returning petitions for abatement of business tax.

In S. C., December 17th, 1877, accepted.

S. C. No. 533. Report from Committee on Water for November.

In S. C., December 17th, 1877, accepted.

S. C. No. 538. Communication from Finance Committee covering resolution regarding City Depositaries.

In S. C., December 17th, 1877, accepted.

S. C. No. 540. Communication from Finance Committee relative to resolution, No. 474, S. C.

In S. C., December 17th, 1877, accepted.

S. C. No. 541. Communication from Finance Committee relative to the claims of Alex. W. Foster, Jr., and James Reno.

In S. C., December 17th, 1877, accepted.

Also announced that Select Council had concurred in the action of Common Council had on the following papers:

REPORTS OF COMMITTEES ON

C. C. No. 261. Streets for August.

C. C. No. 277. Police for August.

C. C. No. 278. Monongahela Wharf for

June.

C. C. No. 279. Monongahela Wharf for August.

C. C. No. 296. Streets for September.

C. C. No. 320. Police for September.

C. C. No. 322. Printing for September.

C. C. No. 323. Monongahela Wharf, in re-election of South Side Wharf Master.

C. C. No. 324. Monongahela Wharf for September.

C. C. No. 335. Water, returning petition of Philip Drum, with negative recommendation.

C. C. No. 345. Streets for October.

C. C. No. 351. Police for October.

C. C. No. 352. Police on claim of Continental restaurant.

C. C. No. 355. Monongahela Wharf for October.

C. C. No. 356. Printing for October.
C. C. No. 368. Printing for October.
C. C. No. 369. Appeals recommending certain exonerations of taxes.

RESOLUTIONS.

C. C. No. 281. Resolution refunding over-paid taxes.
C. C. No. 281. Resolution exonerating certain persons from the payment of taxes.
C. C. No. 325. Resolution relative to the funding of the city's indebtedness.
C. C. No. 328. Resolution for warrant in favor of refunding of over-paid tax.
C. C. No. 329. Resolution for the employment of D. T. Watson to assist in the preparation of Penn avenue cases.
C. C. No. 441. Resolution refunding Water tax to Philip Drum.
C. C. No. 352. Resolution for warrant in favor of Continental Restaurant.
C. C. No. 513. Resolution for erection of public gas lamps by Pittsburgh Gas Company.

REPORTS OF VIEWERS ON

C. C. No. 366. On damages by grading of Thirty-third street.
C. C. No. 367. On construction of bridge over Boundary street, on line of Forbes street.
C. C. No. 350. Communication from Viewers in relation to damages by grade on Brownsville avenue.

ORDINANCES.

C. C. No. 199. An ordinance authorizing the grading and paving of Spring alley from Laurel avenue to Mary street.
C. C. No. 205. An ordinance fixing the grade of Centre avenue.
C. C. No. 206. An ordinance establishing the grade of Thirty-fourth street, from Butler street to Smallman street.
C. C. No. 345. An ordinance authorizing certain changes to be made in the contract between the Pennsylvania Railroad Co. and the City of Pittsburgh, December 24th, 1872.

Mr. **Aull** presented the following:
No. 393. *Resolved*, That the City Controller be and he is hereby authorized and directed to issue his certificate on the Mayor for a warrant in favor of Chas. W. Seanor, Page of Common Council, for nine dollars for services and charge the same to Appropriation No. 3.

Which was read.

Mr. **Aull** moved,

The suspension of the rule to allow the consideration and final passage of the resolution.

Which prevailed.

And the resolution was read a second and third time, and finally passed.

Mr. **Foley** presented,

[394] An ordinance authorizing the opening of Mansfield avenue from Main street to the City line.

Which was referred to the Committee on Streets.

Also,

[395] An ordinance authorizing the grading, paving and curbing of Mansfield avenue from Main street to the City line.

Which was referred to the Committee on Streets.

Mr. **Aull** presented,

[396] An ordinance authorizing Mackintosh, Hemphill & Co. to lay switch tracks on Pike, Twelfth and Etna street.

Which was referred to the Committee on Streets.

Mr. **Dierst** presented the following:

[397] *To the Select and Common Councils of the City of Pittsburgh.*

GENTLEMEN:—Your Special Committee appointed to investigate the actions of the Fire Commission would respectfully report that they have performed the duty as far as lay in their power, but want of time precluded the possibility of hearing evidence upon all the charges. The more important ones were however fully ventilated, and we will here briefly give the conclusions we have arrived at. [A copy of the charges are hereto appended.]

HOSE CHARGE—The Commissioners may have acted irregularly in not advertising, but there being only one place to purchase said hose, it seemed to the Committee that advertising would have been adding useless expense.

CORN CHARGE—There was a great deal of evidence on both sides. The evidence produced by the prosecution, in the judgement of the committee was exceedingly weak, uncertain and vague; but on the other hand the evidence placed before the committee by the defense was positive and conclusive that the corn was in good condition when shipped.

The charge that ex-Commissioner John H. McElroy fed his horse at the public crib was fully inquired into, and your committee at once exonerated Mr. McElroy.

Other charges, some of them of a frivolous character, were not reached, and your committee are of the belief, from the evidence given them, that the Department is well managed in the public interest.

The business of the Commission appears to be done systematically and in good order, with strict rules of government. The testimony as to the present condition and discipline of the Department was such as to leave no doubt that the public opinion in its favor is correct. This was especially shown in the disinterested evidence of an expert, Capt. Wm. Branden, of New York, who, in the interest of the National Board of Underwriters, made a thorough and critical examination of it in July last. We desire to record our high appreciation of the members of the Department, we consider them to be a body of men of which any city might be proud. In conclusion the committee would say that persons and papers were not brought forward promptly to sustain the various charges which evidently originated through malice, misunderstanding or vague rumors.

FRED. DIERST,
R. H. NEGLEY,
WM. W. NISBET.

CHARGES AGAINST THE FIRE COMMISSION.

1st. It is charged that in the spring of 1877 2,500 feet of hose were irregularly purchased by the Fire Commission and that some other interest than that of the City influenced this action.

2d. It is charged that in December 1875, a lot of damaged corn was purchased for the Fire Department and that it was bought from one of the members of the Commission, or that he received the proceeds of the sale of said corn. That the price paid for this damaged corn was the highest market price for the best quality of corn; and that there was a difference of about twenty-three bushels between the elevator weight of said corn and the amount charged in the settled bill.

3d. It is charged that about April, 1875, Commissioner Hays wished to purchase a horse for the Fire Department from Councilman Dietrich for \$250.00. Chief White objected, showing Hays a defect in the horse, but shortly after the horse was purchased for \$160.00. The horse made one trip for the Department and was then sold for \$75.00.

4th. It is charged that a horse bought in the summer of 1876 for the use of the Chief was sold in the spring of 1877 to ex-Commissioner Wilson for Commissioner Hayes, for \$125.00. Also that the receipt received by the Secretary from Ohio, where the horse was purchased was for \$135.00 instead of \$235.00.

5th. It is charged that a horse purchased from either Jno. or Wm. McCallin was sold to Jas. S. Hare for \$65.00.

6th. It is charged that the last couplings were purchased without advertisement, and that had the law in this respect been complied with, they could have been had for a less price.

7th. It is charged that Ex-Commissioner McElroy, while Commissioner, fed his horse at Engine House, No. 2, at the expense of the Department.

8th. It is charged that the Commissioners' room in City Hall has been used for gambling by members of the Commission and others.

9th. It is charged that the Department has paid an exorbitant price for varnish when it was known by the Secretary that it could be had for less.

10th. It is charged that Robert Reed was employed to paint Engine House, No. 5, because he was influential in the politics of the Eleventh ward.

11th. It is charged that Geo. Wilson, David Warden, Wm. J. White, (cousin of the Ex-Chief), and others were discharged merely because they were friends of Ex-Chief White, notwithstanding that they were among the oldest employees of the Department, and no complaints had been made against them.

12th. It is charged that corrupt and dishonorable motives actuated some of the Commissioners in their votes for Chief Engineer at the last election of that officer.

13th. It is charged that the contract to make Firemen's overcoats was let to one who was not the lowest bidder; that it was awarded to a Councilman, who, from having changed his vote at the last moment and insuring the election of one of the present Commissioners at the last election of Fire Commissioners, had a claim upon the said Commission for favorable consideration.

14th. It is charged that Department advertising has not been in accordance with law.

15th. It is charged that the last contract for feed was awarded to one whose bid was not opened until two days after all the other proposals had been opened and their contents known.

16th. It is charged that horses are customarily purchased by the Horse Committee of the Commission without any prior action by the Board and without advertising. That until the seating of the new members of the Commission the same course was followed in the purchase of feed; and that the purchase of many other supplies has been customarily in open violation of the provisions of the law.

17th. It is charged that notwithstanding the diminished appropriation for the Fire Department made the strictest economy necessary, the Fire Commission have disregarded

this fact in the following particulars: Engine houses have been painted by hiring outside mechanics to do that work when there are in the Department mechanics qualified to do it equally as well and who have done it on previous occasions; that two horses are assigned to draw hose carriage, No. 5, although one previously did so; that more horses have been purchased than was absolutely necessary; that buggies have been purchased when the old ones could have been utilized for another year at least.

Which was read and received.

Mr. Foley presented the following as a minority report:

[398] The undersigned, a member of the committee appointed to enquire into the actions of the Fire Commission would respectfully report that he agrees with the majority report of the Committee except in the action on the corn charge, upon which he believes Mr. Hays, one of the Commissioners, was culpable in buying the corn or consenting to the selling of the corn by the estate of W. B. Hays, deceased, of which he was one of the heirs and one of the administrators, to the Fire Commission, as he thereby violated in fact a portion of the so-called Wallace Act.

P. FOLEY.

Which was read and received.

Mr. Pier presented the following as a minority report:

[399.] *To the President and Members of Select and Common Councils of the City of Pittsburgh.*

GENTLEMEN: The undersigned respectfully presents the following report of the proceedings of the committee to investigate the actions of the Fire Commissioners, duly appointed under resolution of Councils. Owing to the limited time by which the investigations of the Committee were restricted, only four of the seventeen charges were subjected to inquiry, as follows: Charge No. 1, which was that 2,500 feet of Eureka hose had been purchased in violation of certain provisions of law and in subservance of other interests than those of the city; charge No. 2, which was in substance that a lot of damaged corn had been purchased illegally from one of the members of the Commission; charge No. 12, which was that corrupt and dishonorable motives had actuated some of the Commissioners in the last election of Chief Engineer; and charge No. 7, that Ex-Commissioner McElroy had, while Commissioner, kept his horse at Engine House, No. 2, at the expense of the Fire Department.

In the first charge it was proved that the contract for 2,500 feet of hose was awarded at the last meeting but one of the old Commission without any advertisement for proposals; without any fixed price; at a time when there was on hand from 1,100 to 1,400 feet of hose which had never been used; when the Chief who was present stated that it was unnecessary then to purchase hose; and the purchase which involved an outlay of three thousand dollars, at a time when a decreased appropriation rendered the strictest economy necessary, was agreed to in one meeting without prior notice to many members of the Commission, or any consultation with the Chief Engineer of the Department, the one official who ought to be most familiar with the needs of the service.

The evidence is conflicting as to the understanding of the Commissioners concerning the price which was to be paid the Eureka

Company, to which the contract was awarded for this hose. Ex-Chief Wm. J. White testified that he was present at the meeting when the discussion took place which eventuated in the resolution ordering the purchase; that it was stated by one of the Commissioners that the price would be \$1.20 per foot; that the President of the Commission, in answer to an inquiry, stated that \$1.20 per foot did not include couplings. In this his testimony was corroborated by Ex-Commissioner J. H. McElroy, and was contradicted by Ex-Commissioner Wilson. The testimony of Commissioners Pitcairn and Coates was to the effect that they had no recollection of such a statement by the President. Be that as it may, the letter ordering the hose, transmitted the morning after this meeting of the Commission, and signed by the President and by the Secretary specified no price whatever, but gave the Eureka Company the privilege of sending 2,500 feet of hose at the lowest possible price—in other words, at whatever price the Eureka Company thought proper to name. From the testimony of Mr. R. C. Elliot, agent of the Eureka Company in this city, it was developed that shortly after the order for this hose had been transmitted, criticisms as to the manner of purchase, the price paid, etc., appeared in the Pittsburgh papers, and these criticisms he had clipped and sent to the company. Thus admonished, the Eureka Company invoiced the hose, and it was settled for upon the basis of \$1.20 per foot, couplings included. The only other purchase made from the Eureka Company was 2,500 feet made in the summer of 1876, it was effected in much the same manner at the price of \$1.20 per foot without couplings.

Prior to this purchase of Eureka hose in 1876, and from the inception of the Paid Fire Department, the carbolized hose, manufactured by the Gutta Percha and Rubber Manufacturing Company, of New York, had been exclusively purchased by our Commission, always without advertisement for proposals or invitation of competition. Until the spring of 1876, or about the time he transferred his services to the Eureka Company, Mr. R. C. Elliot was agent for the Gutta Percha Co. Rather a remarkable phase in Mr. Elliott's testimony was, that although for many years he had been agent in this locality for a number of business houses manufacturing fire department supplies, he had never sold the Pittsburgh Fire Department anything. Notwithstanding it is believed to be an indisputable fact that very rarely have any other goods than those made or sold by Mr. Elliott's principals, if of a competing nature, found their way into the Pittsburgh Fire Department.

The testimony of Ex-Commissioner Wilson, of Commissioners Coates and Hays, shows that within a few months after the first purchase of Eureka hose a resolution was passed by the Commission adopting that hose as the hose of the Pittsburgh Fire Department. A few months' experience with a new hose was certainly a very inadequate test of its durability and service. This resolution of course cut off all competition and published to the Eureka Company that its hose would be purchased whenever any was needed, at whatever price it chose to establish. The New York Record, the official paper of New York city, dated January 23, 1877, in evidence, shows that after due advertisement and under the spur of competition, there was

purchased in January, 1877, of Eureka hose, the same quality as ours, 15,000 feet with couplings, at 88½ cents per foot. The sworn statement of A. J. Spencer, Secretary of the Cleveland Fire Commission, sets forth that the Fire Department of that city purchased in August, 1876, 500 feet of Eureka hose, couplings included, at \$1.10 per foot. This Cleveland purchase was very near the time when our Department made its first purchase of 2,500 feet at \$1.20, without couplings, equal to about \$1.28 with couplings. The sworn statement of J. B. Markey, agent of the Gutta Percha and Rubber Manufacturing Co., of New York, specifies that he was and is desirous of selling to the Pittsburgh Fire Department carbolized hose, with couplings, at one dollar per foot,—the same brand and quality which our department had formerly exclusively purchased, the last occasion having been a lot of 1,000 feet at \$1.40 per foot, without couplings. Mr. Markey had written to Chief White in the spring of 1877, stating the price at which he was willing to sell, and desiring to be informed when the Commission wished to purchase, so that he might bid. The evidence already cited has shown how all competition has been foolishly or purposefully avoided.

Concerning the merits of the various kinds of fire hose, Capt. Branden, an expert in the management and in the appurtenances of fire departments, who was brought to this city from New York by the Fire Commissioners for the purpose of testifying to the efficiency of our Fire Department, stated that he considered the Boyd hose and the Eureka hose as of nearly equal merit, although his preference was for the Eureka, it being seamless, whilst the Boyd was riveted. In other respects they were alike in construction and he considered either of them superior to all other kinds. He testified that the Boyd hose had been manufactured and in the market for the past fifteen or twenty years, and that the New York Fire Department had now 35,000 feet of it in service to about 30,000 feet of Eureka. The question is naturally suggested, how comes it that during all those years when our Department was wedded to the carbolized hose no proposals were invited for this hose, which was and is so similar to the hose which our Commissioners have now adopted? From the testimony, what conclusions are plainly indicated? First, that in the purchase of hose there have been repeated, open and flagrant violations of that law which requires all purchases of all supplies for a municipal administration, of any branch thereof, to be made after due advertisement in the official newspapers of the city, and, second, that other interests than those of the city have been subserved in refusing to encourage or even to permit competition. Whether this has been brought about through the egregious folly or culpable favoritism of the Commission there is no conclusive evidence, but, that by the policy pursued the city has been the loser of many thousands of dollars in the expenditure for the one article of hose, there can be no doubt. In the opinion of the undersigned, therefore, the first charge has been sustained by the evidence.

In the second charge it was proved that on the 14th or 15th of December, 1875, a car load of ear corn was shipped from Irwin, Westmoreland County, Pa., by Jno. O'Brien, an employe of Wm. B. Hays & Son, who testified

that he then acted as agent for the estate of Wm. B. Hays, deceased. This corn was consigned to Wm. B. Hays, Jr., and it arrived in Pittsburgh on the 16th of December, 1875, in Pennsylvania Railroad car, No. 11,030. Car No. 11,030, containing ear corn in bad condition, was received in the Pittsburgh Grain Elevator for the paid fire department, December 22, 1875. The fact that the corn was heating and moulding before it was unloaded at the elevator was testified to by Thomas McMichael, John McClung and R. C. Graham, all of them disinterested witnesses. Chief S. N. Evans contradicted these witnesses, but his testimony upon this point was unsupported, and in view of the facts that the three witnesses corroborated one another, were all engaged in the grain trade, were experts in judging the quality and condition of grain, and are men whose veracity is unimpeached, there is no ground for doubting that the corn was in bad condition when it reached the elevator. It is in evidence that the corn was well cared for while it remained in the elevator, and that the Fire Department, through one of its Commissioners, was notified of its condition, and that it should be removed.

Chief Evans testified that when he ordered the corn into the elevator he instructed the officers that it was to be stored there, and was to be shelled and ground from time to time, as he ordered it. The Clerk of the elevator at that time, Mr. Geo. Gormly, testified that he did not so understand Chief Evans, and that the corn was shelled immediately upon its receipt at the elevator. It is in evidence that the bill for the shelling and storing of the corn was duly presented by the Pittsburgh Grain Elevator Company to the Pittsburgh Fire Department, and was paid by said department without cavil or demur on the part of any of its officers or Commissioners. This fact alone would seem to destroy all force to the allegations now made by some officers of the department, that the elevator did not properly care for the corn, and that the officers of that institution failed to render to its owners proper notice of its condition. If, as it has been alleged, the corn was spoiled through carelessness and mismanagement on the part of the Elevator Company, then it was shameful negligence on the part of the Commissioners, not only to pay the elevator for caring for it and handling it, but also in not taking legal steps to recover from the elevator the value of the corn. On January sixth the corn was removed to engine houses, Nos. 2 and 3. It must have been then in such a condition that, according to the opinion of Mr. Michaels, given as an expert, and under oath, no amount of handling or any possible care could have availed to save it. The corn was spoiled. After keeping it for some months in this condition it was sold to a grain dealer for \$15.

From the testimony of Commissioner Wm. B. Hays, Jr., it was learned that this corn came from the farm, and originally belonged to the estate of Wm. B. Hays, deceased, in which estate said Wm. B. Hays, Jr., had an interest of one-fifth, and of which estate he was one of the executors: that he, as executor of the estate, sold the corn to the Fire Department through himself acting as Chairman to the Feed Committee of the Fire Commission. In other words, Wm. B. Hays, Jr., executor, sold the corn to Wm. B. Hays, Jr., Commissioner. Commissioner Hays testified that prior to the purchase of this corn he consulted

concerning it with one of the other members of the Feed Committee, but could not remember which one. But the members of the Feed Committee of that year, and also the President of the Commission, being produced, each testified that he was not so consulted. The bill for this corn was made out in the name of Wm. A. Dinker, a book-keeper in the employ of Wm. B. Hays & Son, was probated by him, and the warrant in settlement was drawn in his favor. Mr. Dinker testified that the proceeds of the warrant were returned to the estate of Wm. B. Hays, deceased. According to Mr. Dinker's evidence he was instructed to make out the bill in his own name by Commissioner Hays, and also by (then) Commissioners Wilson. According to the testimony of Hays the bill was made out in so unusual a manner as the suggestion of Commissioner Wilson, but Mr. Wilson, when he was sworn, expressly denied having anything to do in making out the bill in that manner. The bill of the corn was for 316 bushels, at 55 cents per bushel. The testimony shows that the elevator weight of the corn, after it was shelled, was but 290 bushels. The opinion of an expert, Mr. McMichaels, was that corn would lose in weight, if in a bad condition, and this would probably account for this deficiency. The price paid was the prevailing market price for the best quality of new ear corn.

The testimony of Mr. Case, Secretary to the Commission, showed that from the first of September, 1875, to the time of the purchase of this car of corn, there was altogether about five bushels of corn purchased by the Department, and after this purchase of a car load up to the first of June, 1876, there was none at all purchased. It also showed that in September, 1875, were purchased 2,040 pounds of corn meal for chop feed; December 16th, the same day, let it be remembered, in which the Hays corn arrived in the city, 4,000 pounds for the same purpose; and in February, 1876, 4,000 pounds. No more was purchased that winter or in the following spring. Mr. McMichaels, who had the contract for supplying the Fire Department with all feed required last summer, testified that he never was called upon for corn or corn meal for the Department during the time he had the contract; and J. H. McElroy, who was acting Chief during the winter of '75 and '76, testified that it was the custom to feed no corn during the summer. From these several facts it is deduced that the annual consumption of corn in the Fire Department was about 10,300 pounds. Now 316 bushels of corn ground into meal for chop feed would amount to 17,000 pounds, allowing 696 pounds to be wasted in the grinding; but, at the time this car of corn was bought, there was a fresh supply of 4,000 pounds on hand which had just been bought. This added to the car load reduced to meal would have made a stock for chop feed of 21,000 pounds, or enough to last the Fire Department nearly two years.

In this charge the testimony for the defense consisted mainly of depositions to interrogatories and cross interrogatories filed and answered before a notary public in Irwin, Westmoreland County, Pa., by four men who had been employed to haul and load the corn. This testimony showed that the corn was in good condition at the time of its shipment. This, however, can have no bearing upon the condition of the corn when it came into the possession of the Fire Department. It was loaded a full week before it was received at

the elevator, a time sufficiently long for new corn to heat and mould. The conclusions deducible from the testimony in this charge are quite as disparaging to the Fire Commission as were those in the other. First, it is clear that the provision of law requiring advertisement for proposals to furnish supplies was here again violated. Second, that the most astonishing degree of laxity, the most culpable negligence, is apparent in the mode in which the business was transacted, one member buying feed without consulting the others; the Secretary drawing a warrant upon a bill made in the name of and probated by one who had never sold goods to the department, and who, upon his oath, testified that he knew nothing about them whatever, and the President signing that warrant either knowing the sale was unlawful, or else knowing nothing at all about it. Third, that the law which forbids a member of the City Government to sell anything to that Government was shamelessly ignored. And, fourth, that one of the members of the Commission accepted pay for corn which he sold as good, while he knew when the payment was received, that the grain was worthless.

As to the twelfth charge, which was that corrupt and dishonorable motives influenced some of the Commissioners in the last election of Chief Engineer, it was entirely unsupported by the evidence adduced, and no reflections should be made upon the Commissioners, or any of them, upon any ground that this charge covered.

As to the seventh charge, that Ex-Commissioner McElroy kept his horse at Engine House, No. 2, and fed her at the expense of the Department while a Commissioner, the evidence showed that although Mr. McElroy did keep his horse there for the most of seventeen months, yet he purchased feed for her himself, and also during some portion of the time she was used by Mr. McElroy in the business of the Department. The Committee accordingly adopted a resolution fully acquitting Mr. McElroy of all dishonorable intentions in this connection.

At this stage of the proceedings, and with thirteen charges still not investigated, a resolution was offered looking to an inquiry into the practical efficiency of the Department. The Chair ruled the resolution out of order, for the reason that the Committee had formally laid out a line of action which was still incomplete. The Chair was not sustained, and the resolution was passed, instructing, for the purpose specified, the foreman, engineer, and oldest hoseman of each Engine Company, to appear before the committee at its next meeting. It was a proceeding somewhat singular to call upon the members of the fire force to testify as to their own efficiency. One witness the Commissioners produced, whose testimony was most valuable. This was Captain Branden, an expert in fire matters, and in the employment of the Home Insurance Company of New York. His testimony was instructive. So far as it related to the efficiency of the Pittsburgh Fire Department, it showed that in his opinion our department would compare favorably with most other cities. He thought our greatest deficiency to be the inadequate number of men assigned to each company.

The Commission desired the Chairman of the Committee to testify, and he was accordingly sworn. His testimony was in reference to the compilation of the charges against the Commission, and the sources from which

they emanated.

Chief Evans being interrogated it was shown that no system prevails in the selection of men for positions on the fire force. Whenever an appointment is to be made, the Chief selects a man generally from the sub-list, but always arbitrarily, and frequently to satisfy a Commissioner or to please a friend. This is wrong and should be rectified. Care should be exercised that only desirable men are admitted to the sub-list, and then appointments should be made to the regular force from the sub-list only, and in order of seniority.

Commissioner Hays testified that the Special Fund of the Fire Department resulted from the sale of old material and of other property disposed of by the Department. It is entrusted to the Chairman of the Finance Committee who has it deposited in bank, and who draws against it whenever properly authenticated warrants are presented to him. The amount in the special fund at present is about \$4,000, and the Chairman of the Finance Committee gives no security for his trust. If this mode of keeping and expending the special fund is in accordance with law, of which the undersigned is unadvised, it is, nevertheless, very faulty and should be remedied.

All of which is respectfully submitted.

WM. S. PIER.

Which was read, and received.

Mr. Pier moved

The adoption of the minority report presented by him.

On which the ayes and noes were demanded, and the demand being sustained the call was ordered and the ayes and noes were taken and were:

Ayes—Messrs. Belfore, Bigham, Blume, Egan, Forsythe, Frauenheim, Hanlon, Johnston, Kinzer, Kemler, Kohne, McClarran, (Newton) Nantker, Pier, Rea, Wambhoff, Weisser.—17.

Noes—Messrs. Aull, Dierst, Foley, Gallisath, Hogle, Manning, McClarran, (R. M.) McKinley, Rahausen, Renziehausen, Thomson, Wainwright, Negley, President.—13.

Mr. Young, declined to vote.

So the motion prevailed, and the report was adopted.

Mr. Aull, by leave, called up

S. C. No. 513. A Resolution authorizing the erection, and removal and re-erection of sundry public gas lamps by the Pittsburgh Gas Company.

In S. C. Nov. 26, passed finally.

C. C. Dec. 10, Refuse to concur in the action of S. C.

In S. C. Dec. 23, Adhere to former action, and ask Committee of Conference.

Which was read.

Mr. Aull moved

To recede from the action of Dec. 10, and concur in action of S. C.

Which motion prevailed.

Mr. Bigham, (by leave) called up

No. 306 C. C. An Ordinance entitled "An Ordinance granting certain privileges to the Pittsburgh and Lake Erie Railroad Company and Pittsburgh and Castle Shannon Railroad Company."

In C. C. Nov. 12, passed.

In S. C. Dec. 17, passed finally as amended.

Which was read.

Mr. Bigham moved

To suspend the rule to allow the consideration and final passage of the bill.

Which was agreed to.
And the bill was read a second time.
And the bill was read a third time and agreed to.

And on the question "Shall the bill pass finally," the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Belfore, Bigham, Blume, Egan, Forsythe, Frauenheim, Foley, Gallisath, Hanlon, Hogle, Johnston, Kinzer, Kemler, Kohne, Manning, McClarran, (R. M.) McClarran, (Newton) McKinley, Nantker, Pier, Rahausen, Rea, Renziehausen, Thomson, Wainwright, Wamhoff, Weisser, Young, Negley, President—30.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

BUSINESS FROM SELECT COUNCIL.

No. 379. C. C. An Ordinance entitled "An Ordinance vacating a portion of a township road known as" The Pucketty Road "from Lincoln avenue, to Armstrong alley."

In S. C. Dec. 17th, passed finally.

Which was read.

On motion of Mr. **Aull**, the rule was suspended to allow the consideration and a final passage of the bill.

And the bill was read a second time.

And the bill was read a third time and agreed to.

And on the question "Shall the bill pass finally," the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Bigham, Blume, Egan, Forsythe, Frauenheim, Gallisath, Hanlon, Hogle, Johnston, Kinzer, Kemler, Kohne, McClarran, (R. M.) McClarran, (Newton) McKinley, Nantker, Pier, Rahausen, Rea, Wainwright, Wamhoff, Weisser, Young, Negley, President—25.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

No. 380. C. C. An Ordinance entitled "An Ordinance vacating Finley street from Lake street to Spring street."

In S. C. Dec. 17th, passed finally.

Which was read.

On motion of Mr. **Aull** the rule was suspended, to allow the consideration and final passage of the bill.

And the bill was read a second time.

And the bill was read a third time and agreed to.

And on the question "Shall the bill pass finally," the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Bigham, Blume, Egan, Forsythe, Frauenheim, Foley, Gallisath, Hanlon, Hogle, Johnston, Kinzer, Kemler, Kohne, McClarran, (R. M.) McClarran, (Newton) McKinley, Nantker, Pier, Rahausen, Rea, Renziehausen, Thomson, Wainwright, Wamhoff, Weisser, Young, Negley, President—28.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

No. 540. A Communication from the Committee on Finance returning No. 474, S. C. a Resolution authorizing the removal of the public weigh scales from Liberty street to Tenth street.

In S. C. Dec. 17, 1877. Read and accepted.

In which action C. C. concurred.

No. 474. S. C. Resolution authorizing

the removal of the public weigh scales from Liberty street near Grant street to Tenth street.

In S. C. Dec. 17th, passed finally.

In which action C. C. concurred.

No. 538 S. C. Communication from the Committee on Finance covering and recommending passage of No. 539, resolution fixing the date of commencement of term of City Depositories.

In S. C. December 17th, read and accepted.

In which action C. C. concurred.

No. 539 S. C. A resolution instructing the City Treasurer as to the time of commencement of the term of the City Depositories.

In S. C. December 17th, passed finally.

In which action C. C. concurred.

No. 547 S. C. Resolution for a warrant in favor of W. H. Sims, for eleven dollars, for services as page to S. C.

In S. C. December 28th, passed finally.

Which, the rule having been suspended, was read three times and finally passed.

No. 337 C. C. Resolution authorizing the Controller to pay to B. F. Kennedy, Prothonotary of Allegheny County, certain fees.

In S. C. December 17th, passed finally.

Which the rule having been suspended was read three times and finally passed.

No. 339 S. C. Resolution for warrants in favor of C. Baursmith, I. N. Thackery and Henry Alles for the refunding of overpaid taxes.

In S. C. December 17th, passed finally.

Which, the rule having been suspended, was read three times and finally passed.

No. 545 S. C. An ordinance entitled "An ordinance authorizing the construction of a boardwalk on Cassatt and Cresent streets from the north curb of Cliff street to a point 1066 feet east of Cassatt street."

In S. C. December 28th, passed finally.

Which was read.

On motion the rule was suspended to allow the consideration and final passage of the bill.

And the bill was read a second time.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Bigham, Blume, Egan, Forsythe, Frauenheim, Foley, Gallisath, Hanlon, Hogle, Johnston, Kinzer, Kemler, Kohne, McClarran, (R. M.), McClarran, (Newton) McKinley, Pier, Rahausen, Rea, Wamhoff, Weisser, Young, Negley—25.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

No. 480. S. C. An ordinance, entitled "An ordinance extending the time for the payment of the moneys on deposit in the United Savings Bank, by virtue of said Bank being a depository of the City of Pittsburgh."

In S. C. December 23th, passed finally.

Which was read.

Mr. **Aull** moved

A suspension of the rule, to allow the consideration and second and third reading and final passage of the bill.

Which prevailed.

And the bill was read a second time.

And the bill was read a third time and agreed to.

Mr. **Aull** moved

The final passage of the bill.

And on the question: "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Bigham, Blume, Egan, Forsythe, Frauenheim, Foley, Gallisath, Hanlon, Hogle, Johnston, Kirchner, Kohne, McClarran, (R. M.) McClarran, (Newton) McKinley, Nantker, Pier, Rahausser, Wamhoff, Weissner, Young, Negley, President—23.

Noes—Messrs. Kinzer, Kemler, Rea—3.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

No. 531 S. C. Communication from the Board of Fire Commissioners announcing their inability to comply with S. C. No. 456. Resolution directing the placing of five hundred feet of hose at the Engine House of the Monongahela Inclined Plane, on account of exhaustion of appropriation.

In S. C. December 17th, read and accepted.

In which action C. C. concurred.

No. 510 S. C. An ordinance entitled "An ordinance authorizing the issue of bonds to provide for the completion of the New Water Works of the City of Pittsburgh."

In S. C. December 10th, passed finally.

In C. C. December 17th, read.

Which was read a second time.

Mr. Aull moved

A suspension of the rule to allow the third reading and final passage of the bill.

Which prevailed.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Bigham, Blume, Egan, Forsythe, Frauenheim, Foley, Gallisath, Hanlon, Hogle, Johnston, Kemler, Kohne, McClarran (R. M.), McClarran, (Newton) McKinley, Nantker, Rahausser, Rea, Wam-

hoff, Weissner, Negley, Pres't—22.

Noes—Messrs. Kinzer, Pier—2.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

No. 533, S. C. Report of the Committee on Water for November.

In S. C. December 17th, read and accepted.

In which action C. C. concurred.

No. 541, S. C. Communication from the Finance Committee covering resolution for payment of claims of A. W. Foster, Jr. and James Reno.

In S. C. December 17th, read and accepted.

In which action C. C. concurred.

No. 542, S. C. Resolutions for Warrants in favor of Alex. W. Foster, Jr. for \$48.00, and James Reno for \$36.00.

In S. C. December 17th, passed finally.

Which was read.

Mr. Pier moved,

To postpone action until next meeting.

Which prevailed.

No. 532 S. C. Communication from the Board of Assessors, returning petitions for abatement of business tax.

In S. C. December 17th, read and accepted.

In which action C. C. concurred.

Mr. Bigham presented,

[400] Resolution for the repair of the old Washington road.

Which was referred to the Committee on Streets.

Nr. Forsyth presented,

[401] Petition of owners of property for leave to amend their petition for re-hearing on the report of the Viewers on the damages and benefits caused by the grading of Brownsville and Washington avenues. Now pending before said board.

Which was referred to the Board of Viewers of Street Improvements.

Adjourned.

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

VOL. 10. MONDAY, DECEMBER 31, 1877. NO. 41

Municipal Record.

SELECT COUNCIL.

DAVID AIKEN, JR.....PRESIDENT.
E. S. MORROW.....CLERK.

PITTSBURGH, December 31, 1877.

Council met.

Present—Messrs. Ahl, Atkinson, Burns, Costillo, Dannals, Duff, Foster, (Alex. W.) Garrison, Gourley, Gray, Hays, Hoeh, Holliday, Kelly, Kerr, Lagerman, Lambie, Littell, Miller, McCandless, McClurg, McKinley, Negley, Nisbett, Nusser, Owens, Patterson, Rodgers, Shipton, Sterling, Taylor, Weigand, Watson, Welsh, Aiken, President.

Absent—Messrs. Barclay, Baum, Bradley, Brown, (L. T.) Brown, (Sam'l S.) Bruce, Buckley, Chambers, Darlington, Evans, Fagin, Felker, Flannery, Foster, (W. S.) Fox, Fullerton, Herron, Hilger, Holmes, Kennedy, Kernan, Lappan, Meyer, Moore, (Wm.) Moore, (W. J.) MacConnell, Nantker, Noble, O'Donnell, O'Neil, Powers, Reiman, Rodgers, Rolfe, Schild, Schwarm, Sorg.

Mr. **Littell** from the Committee appointed to draft resolutions relative to the death of **James Boyd, Esq.**, late member of Select Council from the Ninth ward, presented the following

Resolutions of Respect and Condolence on the death of James Boyd.

WHEREAS, It has been the will of the All-wise Dispenser of events to remove from our midst, our late talented, worthy and esteemed fellow member, James Boyd, and

WHEREAS, The intimate relations held by the deceased with the members of these Councils render it proper that we should express and place upon record our appreciation of his usefulness and services as a Councilman and his merits as a member of society; therefore,

Resolved, That we deplore the loss with deep feelings of sorrow, softened only by the confident hope that his spirit has gone to a place where peace and happiness shall be everlasting through a redeemer's love.

Resolved, That we tender to his afflicted relatives our sincere condolence and our earnest sympathy in their afflictions at the loss of one who was a devoted and affectionate son, a kind and loving brother, and a warm and faithful friend.

Resolved, That the foregoing resolutions be engrossed on our minutes, and also that a copy, properly certified, be transmitted to the relatives of the deceased.

P. HANLON,
W. S. PIER,
MARSHALL JOHNSTON,
JAMES LITTELL,
JACOB AHL,
A. L. REIMAN.

Which was unanimously adopted by a standing vote.

Mr. **Kerr** moved.

That Council adjourn until Friday, January 4th, at 2 o'clock P. M.

On which motion a division was had and there were twenty-three ayes and one no.

So the motion was decided in the affirmative.

And Council adjourned.

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

VOL. 10. FRIDAY, JANUARY 4, 1878. NO. 42.

Municipal Record.

SELECT COUNCIL.

DAVID AIKEN, JR.,.....PRESIDENT.
E. S. MORROW,.....CLERK.

PITTSBURGH, January 4th, 1878.

Council met pursuant to adjournment.
Present—Messrs. Atkinson, Barkley, Baum, Bradley, Bruce, Burns, Costillo, Dannels, Evans, Fagin, Foster, (A. W.) Foster, (W. S.) Fullerton, Garrison, Gourley, Gray, Hays, Herron, Hoeh, Kerr, Lambie, Lappan, Littell, Moore, (Wm.) Moore, (W. J.) McCandless, MacConnell, McClurg, McKinley, Nantker, Negley, Nisbett, Noble, Nusser, O'Neil, Owens, Patterson, Reiman, Rodgers, Shipton, Sorg, Sterling, Taylor, Weigand, Watson, Aiken, President.

Absent—Messrs. Ahl, Brown, (L. T.) Brown, (Saml. S.) Buckley, Chambers, Darlington, Duff, Felker, Flannery, Fox, Hilger, Holliday, Holmes, Kennedy, Kernan, Lagerman, Meyer, Miller, O'Donnell, Powers, Rolfe, Schüld, Schwarm, Welsh.

Mr. A. W. Foster moved,
To dispense with the reading of the minutes.

Which motion prevailed.

The President presented,

[548] A communication from the Board of Guardians of the Poor, announcing that a vacancy existed in said Board caused by the resignation of John H. McMasters.

Which was read and accepted.

Mr. Nisbett moved,

That Council go into an election for a member of Board of Guardians of the Poor. On which motion a division was had and there were sixteen ayes and seventeen noes.

So the motion did not prevail.

Mr. Littell,

[549] Petition of Mrs. M. S. Portser for refunding overpaid business tax.

Which was referred to Finance Committee.

Mr. Kerr,

[550] Petition of R. D. Clark & Co. for a reduction of business tax.

Which was referred to the Finance Committee.

Mr. Hays,

[551] A communication from the Pittsburgh Savings Bank asking the appointment of a Committee of Conference to confer with the Directors of the Bank in relation to

the City moneys on deposit in said Bank by reason of said Bank having been a City Depository.

Which was read and received.

Mr. Shipton,

[552] A memorial from the holders of the Temporary Loan Interest Bonds dated January 1, 1875 which matured January 1, 1877, and have not yet been paid, asking Councils to make provision for the redemption of said bonds.

Which was referred to the Finance Committee.

Also, from the Finance Committee affirmatively.

[553] Resolved, That the City Controller be and he is hereby authorized and directed to issue his certificate on the Mayor for a warrant in favor of John Boyd for \$66.66 and charge the same to Appropriation No. 30.

Which was read.

And the rule having been suspended, the resolution was read a second and third time and agreed to, and finally passed.

Mr. A. W. Foster moved,

To re-consider action on the motion to go into an election for a member of the Board of Guardians of the Poor, in place of John H. McMasters, resigned.

On which motion a division was had and there were twenty-four ayes and thirteen noes, so the motion prevailed.

And the question recurring on the motion to go into an election, the ayes and noes were demanded by Mr. Hays and being taken were:

Ayes—Messrs. Barkley, Baum, Bruce, Burns, Evans, Foster, (A. W.) Fullerton, Garrison, Gourley, Lambie, Lappan, Littell, Moore, (W. J.) McCandless, McClurg, McKinley, Nantker, Negley, Nisbett, Noble, Nusser, O'Neil, Owens, Patterson, Rodgers, Schwarm, Taylor, Weigand, Aiken, President—29.

Noes—Messrs. Atkinson, Bradley, Costillo, Fagin, Foster, (W. S.) Hays, Hoeh, Kelly, Kerr, MacConnell, Reiman, Shipton, Sorg, Sterling, Watson.—15.

So the motion prevail.

Whereupon Council proceeded to the election of a member of the Board of Guardians of the Poor in place of J. H. McMasters resigned.

And Mr. Evans nominated T. J. Wightman and the result of the voting was as follows:

FOR T. J. WIGHTMAN.

Messrs. Atkinson, Barkley, Baum, Bruce, Costillo, Evans, Fagin, Foster, (Alex. W.) Fullerton, Garrison, Gourley, Gray, Hoeh,

Kelly, Kerr, Lambie, Lappan, Littell, Moore, (W. J.) McCandless, MacConnell, McClurg, McKinley, Nantker, Negley, Nisbett, Noble, Nusser, O'Neil, Owens, Patterson, Reiman, Rodgers, Schwarm, Shipton, Sterling, Taylor, Weigand, Watson, Aiken, President—40.

And T. J. Wightman having received forty votes, was declared duly elected a member of the Board of Guardians of the Poor for the unexpired term of J. H. McMasters, resigned.

Mr. Shipton presented from the Committee on Gas Lighting, affirmatively,

[554] *Resolved*, That the East End Gas Co., be directed to erect three public gas lamps on Lincoln avenue bridge, one at each end and one in the center.

Which, the rule having been suspended, was read a second and third time and agreed to and finally passed.

Mr. MacConnell,

[555] *Resolved*, that the Controller be and he is hereby directed to certify on the Mayor for a warrant in favor of Susannah P. Swope, administratrix of estate of H. B. Swope, deceased, for one hundred and twenty-one dollars for settlement in full of judgment entered at No. 36, January Term, 1875, and charge the same to Appropriation No. 13. The said amount having by error been omitted from former resolution passed for the payment of the claim.

Which was read, and the rule having been suspended the resolution was read a second and third time and agreed to and finally passed.

Mr. Noble called up,

C. C. Bill No. 204. An ordinance entitled "An ordinance locating Fetzer street from Bertha street to Kirkpatrick street,

Which in S. C. Dec. 17th failed to pass for want of a legal majority.

And on the question "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Atkinson, Barckley, Baum, Bradley, Bruce, Burns, Costillo, Dannals, Fagin, Foster, (Alex. W.) Fullerton, Garrison, Gourley, Gray, Hays, Hoeh, Kelly, Kerr, Lambie, Lappan, Littell, Moore, (W. J.) McCandless, MacConnell, McClurg, McKinley, Nantker, Negley, Nisbett, Noble, Nusser, Owens, Patterson, Reiman, Rodgers, Schwarm, Shipton, Sorg, Sterling, Taylor, Weigand, Watson, Aiken, President—43.

Noes—None.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Mr. Hays called up,

C. C. Bill No. 299. An Ordinance entitled "An Ordinance authorizing the opening of Arch street from Cassatt street to Ledlie street."

Which was read.

Mr. Hays moved,

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended

The bill was read a second time and agreed to.

And the title of the bill was read and agreed to.

And the bill was read a third time and agreed to.

And on the question "Shall the bill pass finally," the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Atkinson, Barckley, Baum, Bradley, Bruce, Burns, Costillo, Dannals, Fagin, Foster, (Alex. W.) Fullerton, Garrison, Gourley, Gray, Hays, Hoeh, Kelly, Kerr, Lappan, Littell, Moore, (W. J.) McCandless, MacConnell, McClurg, McKinley, Nantker, Negley, Nisbett, Noble, Nusser, O'Neil, Owens, Patterson, Reiman, Rodgers, Schwarm, Shipton, Sorg, Sterling, Taylor, Weigand, Watson, Aiken, President—43.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. Littell called up,

S. C. Bill No. 499. An Ordinance entitled "An Ordinance directing the investment of the Hailman Bequest in Registered United States Bonds.

Which in S. C. December 17th failed to pass finally for want of a legal majority.

And on the question "Shall the bill pass finally," the ayes and noes were taken agreeably to law and were:

Ayes—Messrs. Atkinson, Barckley, Baum, Bradley, Bruce, Burns, Costillo, Dannals, Fagin, Foster, (Alex. W.) Fullerton, Garrison, Gourley, Gray, Hays, Hoeh, Kelly, Kerr, Lambie, Lappan, Littell, Moore, (W. J.) McCandless, MacConnell, McClurg, McKinley, Nantker, Negley, Nisbett, Noble, Nusser, O'Neil, Owens, Patterson, Reiman, Rodgers, Schwarm, Shipton, Sorg, Sterling, Taylor, Weigand, Watson, Aiken, President—44.

Noes—None.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Mr. Taylor called up,

C. C. Bill No. 198. An Ordinance entitled "An Ordinance establishing the grade of Smallman street from Thirty-third street to Thirty-fifth street.

Which was read once.

Mr. Taylor moved,

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended, the bill was read a second time and agreed to.

And the title of the bill was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally," the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Atkinson, Barckley, Baum, Bradley, Bruce, Burns, Costillo, Dannals, Fagin, Foster, (Alex. W.) Fullerton, Garrison, Gourley, Gray, Hays, Hoeh, Kelly, Kerr, Lambie, Lappan, Littell, Moore, (W. J.) McCandless, MacConnell, McClurg, McKinley, Nantker, Negley, Nisbett, Noble, Nusser, O'Neil, Owens, Patterson, Reiman, Rodgers, Schwarm, Shipton, Sorg, Sterling, Taylor, Weigand, Watson, Aiken, President—44.

Noes—None.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Mr. Shipton,

[556] *To the Select and Common Council.*

GENTLEMEN:

The Finance Committee respectfully report that the City Controller informs them that

the City Treasurer notified him that the Pittsburgh Savings Bank did on January 2d, 1878, default on payment of City check drawn by the City Treasurer on January 1st, 1878, in accordance with law, for one-third of City deposit, in said Pittsburgh Savings Bank. That the United Savings Bank, another of the City Depositories also defaulted for a portion of the checks drawn by the City Treasurer. The bonds of said depositories have been handed to the City Attorney for collection.

Respectfully submitted,

R. M. SNODGRASS,

Clerk to Finance Committee.

Which was read and received.

Mr. Kerr.

[557] WHEREAS, The President of this branch of Councils will retire from his duties on Monday next, and having discharged the trust confided to him with justice, efficiency, and impartiality, therefore,

Resolved, That this Council tender to him their sincere thanks, and regrets that he is to be no longer amongst us, and wish for his welfare in his retirement.

Which was read and passed by a rising vote.

Mr. Littell called up,

C. C. Bill No. 264. An ordinance entitled "An ordinance authorizing the grading and paving of Exchange alley from west side of Evans alley to a point one hundred feet east of east side of Fourth street.

Which was read.

Mr. Littell moved,

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended,

The bill was read a second time and agreed to.

And the title of the bill was read and agreed to.

And the bill was read a third time and agreed to.

And on the question "shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Barkley, Baum, Bradley, Bruce, Buckley, Burns, Costillo, Dannals, Fullerton, Garrison, Gourley, Gray, Hays, Hoeh, Kerr, Lambie, Littell, Moore, (Wm.) Moore, (W. J.) McCandless, MacConnell, McClurg, McKinley, Nantker, Nisbett, Noble, Nusser, O'Neil, Owens, Reiman, Rodgers, Schwarm, Shipton, Sorg, Sterling, Weigand, Watson, Aiken, President—35.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. Taylor by leave, called up

C. C. Bill, No. 157. An Ordinance entitled "An Ordinance authorizing the grading, paving and curbing of Cliff street from Cassatt street to Gum street."

Which in Select Council Dec. 10th, failed to pass finally for want of a legal majority.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Atkinson, Barkley, Bradley, Bruce, Burns, Costillo, Dannals, Fagin, Foster, (Alex. W.) Fullerton, Garrison, Gourley, Gray, Hays, Hoeh, Kelly, Kerr, Moore, (Wm.) Moore, (W. J.) McCandless, MacConnell, McClurg, McKinley, Negley, Nusser, O'Neil, Owens, Patterson, Reiman, Rodgers,

Schwarm, Shipton, Sorg, Taylor, Weigand, Watson, Aiken, President.—37.

Noes—None.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Mr. Gray called up,

C. C. Bill No. 295. An Ordinance entitled "An Ordinance authorizing the opening of Woodville avenue from Washington Pike to Shalerville.

Which was read.

Mr. Gray moved,

To suspend the rule for the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended,

The bill was read a second time and agreed to.

And the title of the bill was read and agreed to.

And the bill was read a third time and agreed to.

And on the question "Shall the bill pass finally," the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Atkinson, Baum, Bradley, Bruce, Burns, Costillo, Dannals, Fagan, Foster, (Alex. W.) Foster, (W. S.) Fullerton, Garrison, Gourley, Gray, Hoeh, Kelly, Kerr, Moore, (Wm.) McCandless, MacConnell, McClurg, McKinley, Nantker, Negley, Noble, Nusser, Owens, Patterson, Schwarm, Shipton, Sorg, Sterling, Taylor, Watson, Aiken, President—35.

Noes—Messrs. Hays, Nisbett, Reiman, Rodgers, Weigand—5.

And a majority of the votes of Select Council not being in the affirmative the bill did not pass finally.

Mr. Taylor by leave, presented,

[558] Petition of Rosa Kelly for an abatement of business tax.

Which was referred to Finance Committee.

The following business from Common Council.

C. C. Bill No. 297. An ordinance entitled "An ordinance authorizing the construction of a sewer on Second avenue from Market street to Wood street."

Which was read.

Mr. Taylor moved,

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended,

The bill was read a second time and agreed to.

And the title was read and agreed to.

And the bill was read a third time and agreed to.

And on the question "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Atkinson, Barkley, Baum, Bradley, Bruce, Burns, Costillo, Dannals, Foster, (A. W.) Fullerton, Garrison, Gourley, Gray, Hays, Herron, Hoeh, Kelly, Kerr, Littell, Moore, (Wm.) McCandless, MacConnell, McClurg, McKinley, Nantker, Negley, Nisbett, O'Neil, Owens, Reiman, Rodgers, Shipton, Sorg, Taylor, Weigand, Watson, Aiken, President—37.

Noes—None.

And a majority of the votes of Select Council, being in the affirmative the bill passed finally.

C. C. Bill No. 393. Resolution for a

warrant in favor of Chas. W. Seanor, page of Common Council.

In C. C., rules suspended, and resolution read three times and finally passed.

In which action Select Council concurred.

C. C. Bill No. 334. An ordinance entitled "An ordinance amending sections 1, 3, 13 and 14 of an ordinance entitled "An ordinance regulating the manner of letting the public printing and prescribing the manner of doing the same." Passed March 29th, 1875.

Which was read.

Mr. **Kerr** moved,

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the rule having been suspended,

The bill was read a second time and agreed to.

And the title was read and agreed to.

And the bill was read a third time and agreed to.

And on the question, "Shall the bill pass finally," the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Atkinson, Barclay, Baum, Bradley, Bruce, Burns, Costillo, Dannals, Fagin, Foster, (Alex. W.) Fullerton, Garrison, Gourley, Gray, Herron, Hoeh, Kelly, Kerr, Littell, Moore, (Wm.) McCandless, MacConnell, McClurg, McKinley, Nantker, Negley, Nisbett, Noble, O'Neil, Owens, Reiman, Rodgers, Shipton, Sorg, Taylor, Weigand, Watson, Aiken, President—38.

Noes—None.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

And on motion Council adjourned.

APPENDIX.

(No. 1.)

AN ORDINANCE—Fixing the price to be paid by the city to the East End Gas Company for gas furnished to and consumed by said city.

WHEREAS, By the Act of Assembly incorporating the East End Gas Co., approved 5th April, 1869, it is provided that the City Councils shall have the power from time to time, by ordinance or resolution, to fix and determine the price to be paid by the city to said Company for the gas furnished to and consumed by the city. *Provided*, That the price so fixed shall not be less than one-half the sum charged by said Company to other consumers; therefore,

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That from and after the 1st day of January the price to be paid said Company for the gas furnished to and consumed by the City shall be and is hereby fixed at the sum of \$1.325 per thousand feet for the year 1877, or until such said time during said year a new contract is entered into by said Company with the City.

Section 2. That any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same affects this ordinance.

Passed February 26th, 1877.

Approved March 9th, 1877.

Ordinance Book 5, page 83.

(No. 2.)

AN ORDINANCE—Authorizing the assessment of damages and benefits caused by the grading of Ridge street from Thirty-third street to Roup street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same,

That the Board of Viewers of Street Improvements be and they are hereby authorized and directed to assess the damages and benefits caused by the grading of Ridge street from Thirty-third street to Roup street in accordance with the provisions of an Act of Assembly entitled "An Act concerning streets and sewers in the City of Pittsburgh," approved January 6, 1864, and the several supplements thereto.

Section 2. That any ordinance or part of ordinance conflicting with the passage of this ordinance at the present time be and the same is hereby repealed so far as the same affects this ordinance.

Passed February 26th, 1877.

Approved March 9th, 1877.

Ordinance Book 5, page 83.

(No. 3.)

AN ORDINANCE—Authorizing the assessment of the cost of construction of a bridge over Negley's run on the line of Lincoln avenue.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the Board of Viewers of Street Improvements be and they are hereby authorized and directed to assess the cost of the construction of the bridge over Negley's run on line of Lincoln avenue, in accordance with the provisions of an Act of Assembly entitled "A further supplement to an Act entitled 'An Act concerning streets and sewers in the City of Pittsburgh,'" approved May 26, 1871.

Section 2. That any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same affects this ordinance.

Passed February 26th, 1877.

Approved March 9th, 1877.

Ordinance Book 5, page 84.

(No. 4.)

AN ORDINANCE—Changing the grade of Second avenue between Murphy street and a point 1,603 feet east of the east curb of Murphy street.

Section 1. Be it ordained and enacted by the city of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the grade of Second avenue, from a point 1,603 feet east of the east curb of Murphy street, be and is hereby changed and established to be as follows: Beginning at a point 1,401 feet east of the east curb of Murphy street at present crown; thence rising at the rate of 1.27 feet per 100 feet for forty feet; thence by a vertical curve for about seventy-four feet; thence at a fall of 2.27 feet per 100 feet for 188 feet, at which point the established grade is intersected by the grade herein proposed.

Section 2. That any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same affects this ordinance.

Passed March 26th, 1877.

Approved March 28th, 1877.

Ordinance Book 5, page 85.

(No. 5.)

AN ORDINANCE—Authorizing the Pittsburgh Gas Company to regrade, repave and recurb Second avenue, to conform to a change of grade on said avenue as authorized by ordinance.

Section 1. Be it ordained and enacted by the city of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the Pittsburgh Gas Company be and they are hereby authorized and empowered at their own proper cost and expense to regrade, repave and recurb Second avenue, to conform to the grade as established by an ordinance of Councils passed the 26th day of March, 1877. *Provided, however,* That the said Pittsburgh Gas Company shall place said avenue in the same condition as it is at present within the limits of the grade so changed; and provided further, That said Company shall keep said avenue between the tracks of the switch track which they propose to lay, and six feet on each side of said track, in perpetual good repair.

Section 2. That any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same affects this ordinance.

Passed March 26th, 1877.

Approved March 28th, 1877.

Ordinance Book 5, page 85.

(No. 6.)

AN ORDINANCE—Authorizing the opening of Reservoir avenue from River avenue to Highland avenue Reservoir.

WHEREAS, It appears that a majority in interest has petitioned for the opening of Reservoir avenue from River avenue to Highland Reservoir; therefore,

Section 1. Be it ordained and enacted by the city of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to survey and open within sixty days from the date of the passage of this ordinance Reservoir avenue from River avenue to Highland Reservoir, at a width of forty feet in accordance with a plan on file in the Engineer's office, approved by ordinance passed by Councils the 27th day of November, 1876. The damages caused thereby and the benefits to pay the same to be assessed and collected in accordance with the provisions of an Act of Assembly, entitled "An Act concerning streets and sewers in the city of Pittsburgh," approved January 6, 1864, and the several supplements thereto.

Section 2. That any ordinance or part of ordinance conflicting with the passage of this ordinance at the present time be and the same is hereby repealed so far as the same affects this ordinance.

Passed March 26th, 1877.

Approved March 27th, 1877.

Ordinance Book 5, page 86.

(No. 7.)

AN ORDINANCE—Authorizing the opening of Forty-seventh street from the south side of the A. V. R. R. to the north side of the A. V. R. R.

Section 1. Be it ordained and enacted by the city of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to survey and open, within sixty days from the date of the passage of this ordinance, Forty-seventh street from the south side of the Allegheny Valley Railroad to the north side of the Allegheny Valley Railroad, at a width of fifty feet, in accordance with a plan on file in the Engineer's Office. The damages caused thereby and the benefits to pay the same to be assessed and collected in accordance with the provisions of an Act of Assembly entitled "An Act concerning streets and sewers in the city of Pittsburgh," approved January 6, 1864, and the several supplements thereto.

Section 2. That any ordinance or part of ordinance conflicting with the passage of this ordinance at the present time, be and the same is hereby repealed so far as the same affects this ordinance.

Passed March 26th, 1877.

Approved April 2, 1877.

Ordinance Book 5, page 86.

(No. 8.)

AN ORDINANCE—Levying taxes, assessing water rents, and making appropriations for the year 1877.

Section 1. Be it ordained and enacted by the city of Pittsburgh, in Select and Common Councils assembled, and it is hereby enacted by the authority of the same, That for the purpose of providing sufficient revenue to meet the ordinary expenses of the city, to pay

the interest on outstanding bonds, and to discharge all other liabilities now due, or which may become payable during said year, 1877, taxes shall be and are hereby levied and assessed upon all property and other objects of taxation, as follows:

1. City Tax—Upon all property taxable for State or County purposes, four mills upon each dollar of valuation, except the property in said city designated as rural, upon which the tax shall be assessed at two-thirds of said rate, and upon all property designated as agricultural, the tax shall be assessed at one-half of said rate.

2. Fire tax—Upon all property taxable for State or County purposes, one and 3-10 mills upon each dollar of valuation, except the property in said city designated as rural, upon which the tax shall be assessed at two-thirds of said rate, and upon all property designated as agricultural, the tax shall be assessed at one-half of said rate.

3. Water Works Interest Tax—Upon all property taxable for State or County purposes, one and 8-10 mills upon each dollar of valuation, except the property in said city designated as rural, upon which the tax shall be assessed at two-thirds of said rate, and upon all property designated as agricultural, the tax shall be assessed at one-half of said rate.

4. Sinking Fund Tax—Upon all property taxable for State and County purposes, one mill upon each dollar of valuation, except the property in said city designated as rural, upon which the tax shall be assessed at two-thirds of said rate, and upon all property designated as agricultural, the tax shall be assessed at one-half of said rate.

5. Old City Special Tax—Upon all property taxable for State or County purposes within the limits of the City of Pittsburgh, as it existed prior to the consolidation, under the Act of April, 1867, 8-10 of one mill upon each dollar of valuation, as a special tax for the separate indebtedness of said district.

6. South Side Special Tax—Upon all property taxable for State or County purposes within the limits of the former borough of East Birmingham, two and one-half mills; Mt. Washington, one mill; Temperanceville, three mills, and four mills to pay annual installments on bonds issued since consolidation, for grading and paving Main street in said borough; Birmingham, one mill, to redeem bonds and pay interest on same, issued since consolidation for grading and paving under old borough laws.

7. Upon all goods, wares and merchandise, and upon all articles of trade and commerce sold in said city in any manner, not herein otherwise provided for, one and one-half mills upon each dollar of sales.

8. Upon all sales of goods, wares and merchandise, and articles of trade and commerce sold by commission merchants in said city, one and one-half mills upon each dollar of said sales.

9. Upon the actual yearly sales of each and every person or firm engaged in the trade, business or occupation of retailing, for his, her, or the benefit, vinous, fermented, or distilled liquors ten mills on each dollar of said sales.

10. Upon the actual yearly sales of each and every person or firm engaged in the business or occupation of an auctioneer, two mills upon each dollar of said sales.

11. Upon the gross commission or brokerage of all merchandise brokers, forwarding and commission merchants, not including

commissions on sales, fifteen mills on each dollar of said commissions.

12. Upon the average line of discounts of brokers, banks and banking institutions one mill on each dollar.

13. Upon the gross receipts of express companies and telegraph companies, three mills upon each dollar of said receipts.

14. Upon the gross receipts of persons engaged in the business of keeping billiard tables, ten-pin alleys or bagatelle tables for public use, fifteen mills upon each dollar of said receipts.

Section 2. And at the above rates the City Assessor shall assess said taxes.

Section 3. And at the following rates the Water Assessor shall assess water rents:

First—The schedule of water rents for the year 1877, shall be the same as 1876.

Section 4. That the amount necessary to pay the interest on the separate indebtedness of the old city and the South Side boroughs, shall be taken from the receipts from the special taxes of the districts aforesaid, and placed in Appropriation No. 1, on which warrants shall be drawn for all interest accruing or accrued on the debts of said districts, respectively.

Section 5. That the balance of said receipts from said special taxes (after payment of interest) shall be paid into a sinking fund for the district from which it is collected, and shall be used for the payment of the special debt of said district.

Section 6. That the revenue of said city for the year 1877, arising from the taxes, loans, and all other sources, together with any moneys in the Treasury, not otherwise appropriated, are hereby appropriated for the following purposes:

ESTIMATED EXPENDITURES AND RECEIPTS FOR THE YEAR 1877.

APP'N. APPROPRIATIONS FOR 1877.

No.	
1	Interest, Premium and Tax on City Loan.....\$ 217,354 50
2	Salaries..... 30,230 00
3	Printing..... 6,000 00
4	Fire Department..... 122,850 00
5	Police Department..... 150,000 00
6	Water Works Department..... 90,000 00
7	Street Department..... 83,000 00
8	Pittsburgh Gas Co..... 23,940 00
9	Markets..... 10,500 00
10	Monongahela Wharf..... 2,000 00
11	Allegheny Warf..... 750 00
12	City Weigh Scales..... 500 00
13	Contingent fund..... 17,000 00
14	Board of Health..... 12,000 00
15	East End Gas Co..... 18,840 00
16	City Property..... 4,000 00
18	Finance Fund..... 3,933 00
19	Sinking Fund..... 34,500 00
21	City Hall, cleaning and Observatory time..... 5,000 00
22	Road Department..... 15,000 00
25	Water Loan Interest..... 309,288 00
26	Water Loan Sinking Fund... 90,000 00
32	South Side Wharf..... 900 00
34	Board of Assessors Department..... 10,000 00
35	South Side Gas Co..... 11,940 00
36	Fire Department Loan interest and Sinking Fund..... 24,000 00
38	West Pittsburgh Gas Co..... 5,280 00
39	Repaving Fund..... 6,000 00

\$ 1,314,805 50

ESTIMATED RECEIPTS FOR 1877.	
City Tax, val. \$81,000,000.00, full rate, 4 mills.....	\$ 324,000 00
City Tax, rural, \$36,000,000.00, two-thirds rate, 2½ mills.....	96,000 00
City Tax, agricult'l, \$6,000,000.00, half rate, 2 mills.....	12,000 00
	<u>\$432,000 00</u>
Less 12½ per cent. for discounts and lost and exonerated taxes	54,000 00
	<u>\$ 378,000 00</u>
Water Works Interest Tax, \$81,000,000.00, full rate, 1 8-10 mills...	145,800 00
Water Works Interest Tax, \$36,000,000.00, two-thirds rate, 1 2-10 mills.....	43,200 00
Water Works Interest Tax, \$6,000,000.00, half-rate, 9-10 mills.....	5,400 00
	<u>\$194,400 00</u>
Less 12½ per cent. for discounts, &c.....	24,300 00
	<u>\$ 170,100 00</u>
Fire Tax, \$81,000,000.00, full rate, 1 3-10 mills.....	105,300 00
Fire Tax, \$36,000,000.00, two thirds rate, 13-15 mills.....	31,200 00
Fire Tax, \$6,000,000.00, half rate, 13 20 mills.....	3,900 00
	<u>\$ 140,400 00</u>
Less 12½ per cent. for discounts, &c.....	17,550 00
	<u>\$ 122,850 00</u>
Sinking Fund Tax, \$81,000,000.00, full rate, 1 mill.....	81,000 00
Sinking Fund Tax, \$36,000,000.00, two thirds rate, ½ mills.....	24,000 00
Sinking Fund Tax, \$6,000,000.00, half rate, 5-10 mills.....	3,000 00
	<u>\$ 108,000 00</u>
Less 12½ per cent. for discounts, &c.....	13,500 00
	<u>\$ 94,500 00</u>
Business Tax.....	150,000 00
Water rents.....	290,000 00
Monongahela Wharf.....	11,000 00
Allegheny Wharf.....	3,000 00
South Side Wharf.....	3,000 00
Mayor's office.....	25,000 00
Diamond Markets.....	40,000 00
Fifth Avenue Markets.....	2,000 00
South Side Markets.....	6,500 00
City Gauger.....	2,500 00
Vehicle Licences.....	25,000 00
Street Railroads.....	3,700 00
Building inspector.....	1,500 00
Interest on bank balances.....	6,000 00
Streets.....	8,000 00
City scales.....	4,000 00
Miscellaneous.....	1,280 00
	<u>\$1,347,930 00</u>

OLD CITY AND SOUTH SIDE SEPARATE
INDEBTEDNESS.

Old City Special Tax, Debt and Interest.....	\$32,900 00
Borough of East Birmingham, Debt and Interest.....	10,930 00
Borough of Birmingham, Debt and Interest.....	2,880 00
Borough of Mt. Washington, Debt and Interest.....	1,575 00

Borough of Temperanceville, Installment Bonds, Borough of Temperanceville, for Main street Bonds.....	5,880 00
	<u>\$ 54,165 00</u>
Old City Special, val. \$47,000,000.00 @ 8-10 mills.....	37,600 00
Less 12½ per cent. for Discounts, &c.....	4,700 00
	<u>\$ 32,900 00</u>
Borough of East Birmingham, val. \$5,000,000.00 @ 2½ mills.....	12,500 00
Less 12½ per cent. for Discounts, &c.....	1,570 00
	<u>\$ 10,930 00</u>
Borough of Birmingham, val. \$3,300,000.00 @ 1 mill.....	3,300 00
Less 12½ per cent. for Discounts, &c.....	420 00
	<u>\$ 2,880 00</u>
Borough of Mt. Washington, val. \$1,800,000.00 @ 1 mill.....	1,800 00
Less 12½ per cent. for Discounts, &c.....	225 00
	<u>\$ 1,575 00</u>
Borough of Temperanceville, val. \$96,000.00 @ 3 mills.....	2,880 00
Borough of Temperanceville, val. \$960,000.00 @ 4 mills.....	3,840 00
Less 12½ per cent. for Discounts, &c.....	840 00
	<u>\$ 5,880 00</u>
	<u>\$ 54,165 00</u>

(No. 9.)

A N ORDINANCE—Granting to John Gilroy the right to erect a frame building on Carson street, Thirty-fourth ward.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That privilege be and is hereby granted John Gilroy to erect a frame building on Carson street, Thirty-fourth ward, about 100 feet east of the Point Bridge.

Section 2. That any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same affects this ordinance.

Passed April 9th, 1877.

Approved April 11th, 1877.

Ordinance Book 5, page 91.

(No. 10.)

A N ORDINANCE—Granting Tibby Bros. the right to erect an iron-clad building.

Section 1. Be it ordained and enacted by the City of Pittsburgh in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That privilege be granted to Tibby Brothers to erect an iron-clad building, 72xby120 feet,

on the S. E. corner of Twenty-first and Small-man streets, Twelfth ward.

Section 2. That any ordinance or part of an ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same effects this ordinance.

Passed April 9th, 1877.

Approved April 11th, 1877.

Ordinance Book 5, page 92.

(No. 11.)

AN ORDINANCE—Granting T. A. Gillespie right to erect an iron-clad building.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That privilege be and is hereby granted to T. A. Gillespie to erect an iron-clad building on the corner of Railroad and Twenty-first streets, Twelfth ward; length one hundred and thirteen feet, and forty-eight feet in width.

Section 2. That any ordinance or part of an ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same effects this ordinance.

Passed April 9th, 1877.

Approved April 11th, 1877.

Ordinance Book 5, page 92.

(No. 12.)

AN ORDINANCE—Granting A. E. McCandless right to erect a frame stable.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That privilege be and is hereby granted A. E. McCandless to erect a frame stable and carriage house on Dinwiddle and Rose streets, Eleventh ward.

Section 2. That any ordinance or part of an ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same effects this ordinance.

Passed April 9th, 1877.

Approved April 11th, 1877.

Ordinance Book 5, page 93.

(No. 13.)

AN ORDINANCE—Establishing the grade of the south curb of Beech alley from Gist street to Seneca street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the grade of the south curb of Beech alley, from Gist street to Seneca street be and the same is hereby established as follows: Beginning at the east curb line of Gist street, thence falling at the rate of 1,716 feet per 100 to

the west line of Jumonville street, thence across Jumonville street, falling 26 feet per 100 feet to east side of same, thence falling 5.51 feet per 100 feet for a distance of 270 feet, thence falling 1.87 feet per 100 feet to Seneca street.

Section 2. That any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same affects this ordinance.

Passed April 9th, 1877.

Approved April 11th, 1877.

Ordinance Book 5, page 93.

(No. 14.)

AN ORDINANCE—Authorizing the construction of a boardwalk on Knox avenue from Brownsville avenue to city line.

Section 1. Be it ordained and enacted by the City of Pittsburgh in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to advertise for proposals for the construction of a boardwalk on Knox avenue from Brownsville avenue to the city line, and to let the same in the manner directed by an Act concerning streets, approved January 6th, 1864, and the several supplements thereto and ordinances of Council relative to the same. The cost and expense of the same to be assessed and collected in accordance with the provisions of an Act of Assembly entitled "An Act concerning streets and sewers in the city of Pittsburgh," approved January 6th, 1864, and the several supplements thereto.

Section 2. That any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same affects this ordinance.

Passed April 9th, 1877.

Approved April 11th, 1877.

Ordinance Book 5, page 93.

(No. 15.)

AN ORDINANCE—Authorizing the opening of Centre avenue from Neville street to Liberty avenue.

WHEREAS, It appears that a majority in interest has petitioned for the opening of Center avenue, from Neville street to Liberty avenue therefore,

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to survey and open within sixty days from the date of the passage of this ordinance, Center avenue from Neville street to Liberty avenue, at a width of sixty feet, in accordance with a plan on file in the Engineer's office, approved by ordinance passed by Councils 29th December, 1871. The damages caused thereby and the benefits to pay the same to be assessed and collected in accordance with the provisions of an Act of Assembly entitled "An Act concerning streets and sewers in the City of Pittsburgh," approved January 6, 1864, and the several supplements thereto.

Section 2. That any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same affects this ordinance.

Passed April 9th, 1877.

Approved April 11th, 1877.

Ordinance Book 5, page 94.

(No. 16.)

A N ORDINANCE—Authorizing the assessment of the cost of construction of a bridge over Boundry street on the line of Forbes street.

Section 1. Be it ordained and enacted by the City of Pittsburgh in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the Board of Viewers of Street Improvements be and they are hereby authorized and directed to assess the cost of the construction of a bridge over Boundry street on the line of Forbes street, in accordance with the provisions of an Act of Assembly, entitled "A further supplement to an Act concerning streets and sewers in the City of Pittsburgh," approved May 25, 1871.

Section 2. That any ordinance or part of ordinance conflicting with the provisions of this ordinance, be and the same is hereby repealed so far as the same affects this ordinance.

Passed April 9th, 1877.

Approved April 11th, 1877.

Ordinance Book 5, page 94.

(No. 17.)

A N ORDINANCE—Authorizing a temporary loan for the payment of interest on bonds issued for the improvement of avenues and streets under the provisions of the Penn Avenue Act.

WHEREAS, There has not been sufficient money paid into the City Treasury for the payment of the cost of streets improved under the Penn Avenue Act to meet the payment of accrued interest on the bonds issued for the improvement of said streets, and

WHEREAS, The 22d section of the Act to provide for the improvement of Penn avenue and other avenues and streets in the City of Pittsburgh, provides that, "If any interest shall become due on said bonds where there is no fund from which to pay the same, the Councils of the City of Pittsburgh shall be authorized to make a temporary loan for the purpose of paying the same, therefore

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Controller shall be and he is hereby authorized and directed to borrow under the direction and control of the Finance Committee, in the name and behalf of the City of Pittsburgh, the sum of one hundred and eighty-four thousand, six hundred and fifty-one dollars and fifty cents for the purpose of paying interest on street bonds as aforesaid.

Section 2. That the City Controller shall be authorized to issue bonds in the name of the

City of Pittsburgh payable not exceeding six years after date and bearing interest at a rate not exceeding six per centum per annum. And said bonds shall be signed by the Mayor and countersigned by the Controller, and sealed with the corporate seal of the City.

Passed April 18th, 1877.

Became a law without the Mayor's signature May 1st, 1877.

Ordinance Book 5, page 95.

(No. 18.)

A N ORDINANCE—Granting "Hutchinson's Battery, N. G. P." right to erect a wooden building.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That privilege be and is hereby granted Hutchinson's Battery to erect a wooden building, to be used as an armory, on Duquesne way, between Third and Fourth streets.

Section 2. That any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed, so far as the same affects this ordinance.

Passed April 18th, 1877.

Approved April 25th, 1877.

Ordinance Book 5, page 96.

(No. 19.)

A N ORDINANCE—Fixing the wages to be paid to certain employees of the Street and Road Committee.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the wages to be paid to the following employees of the Street and Road Department shall be and the same are hereby established as follows: Carters not to exceed \$2.75 per day; pavers, first class, not to exceed \$2.75 per day; pavers, second class, not to exceed \$2.50 per day; rammers not to exceed \$1.60 per day; bed-makers, raisers and pickers, not to exceed \$1.50 per day; sewer men, first class, not to exceed \$1.75 per day; sewer men, second class, not to exceed \$1.50 per day; dumpers, laborers and scrapers, not to exceed \$1.25 per day; teams not to exceed \$4.00 per day.

Section 2. That any ordinance or part of ordinance conflicting with the provisions of this ordinance, be and the same is hereby repealed so far as the same affects this ordinance.

Passed April 30th, 1877.

Became a law without the signature of the Mayor, May 17, 1877.

Ordinance Book 5, page 96.

(No. 20.)

A N ORDINANCE—Locating Chestnut street from Wood street to Carson street.

Section 1. Be it ordained and enacted by the City of Pittsburgh in Select and Common

Councils assembled, and it is hereby ordained and enacted by the authority of the same, That Chestnut street be and the same is hereby located as follows: Beginning on the south 5. feet line at the intersection of the southerly line of Wood street; thence by 5. feet line of Chestnut street produced a distance of 250.00 feet to an angle; thence deflecting about 15° 23' to the right to the line of Carson street, said 5. feet line being about 7.0 feet at right angles from the northwest corner of pier of bridge of P., C. & St. L. R. R.

Section 2. That any ordinance or part of ordinance conflicting with the provisions of this ordinance at the present time be and the same is hereby repealed so far as the same affects this ordinance.

Passed May 14th, 1877.

Became a law without the signature of the Mayor, May 29th, 1877.

Ordinance Book 5, page 97.

(No. 21.)

A N ORDINANCE—Authorizing the opening of Smallman street, from Thirty-sixth street to Thirty-seventh street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to survey and open within sixty days from the date of the passage of this ordinance, Smallman street, from Thirty-sixth to Thirty-seventh street, at a width of forty feet, in accordance with a plan of the partition of the estate of Peter Dravo, deceased, No. 132, in Partition No. 309 June Term, 1868, as shown by the record on file in the office of the Prothonotary, in and for the county of Allegheny, the damages caused thereby and the benefits to pay the same, to be assessed and collected in accordance with the provisions of an Act of Assembly entitled, an Act concerning Streets and Sewers in the City of Pittsburgh, approved January 6th, 1864, and the several supplements thereto.

Section 2. That any ordinance or part of ordinance conflicting with the passage of this ordinance at the present time, be and the same is hereby repealed so far as the same affects this ordinance.

Passed May 14th, 1877.

Became a law without the signature of the Mayor, May 29th, 1877.

Ordinance Book 5, page 98.

(No. 22.)

A N ORDINANCE—Authorizing the grading of Aiken avenue from Fifth avenue to Center avenue.

WHEREAS, It appears that a majority in interest has petitioned for the grading of Aiken avenue from Fifth avenue to Center avenue; therefore,

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to advertise for proposals for the grading of Aiken avenue

from Fifth avenue to Center avenue, and to let the same in the manner directed by an Act concerning streets, approved January 6, 1864, and the several supplements thereto and ordinance of Councils relative to the same.

Section 2. That any ordinance or part of ordinance conflicting with the passage of this ordinance at the present time, be and the same is hereby repealed so far as the same affects this ordinance.

Passed May 14th, 1877.

Became a law without the signature of the Mayor, May 29th, 1877.

Ordinance Book 5, page 98.

(No. 23.)

A N ORDINANCE—Providing for the appointment, prescribing the duties and fixing the salary of the Message Clerk of Councils.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That immediately after the passage of this ordinance, and at the first meeting of Select Council in each year thereafter, the President of said Council shall appoint one person who shall be known as Message Clerk, and who shall be Chief of the Pages of both Councils.

Section 2. That said Message Clerk shall perform such duties as may be assigned him by the Clerks of Councils, and attend to the keeping of the files of each branch of Councils in proper order.

Section 3. That the salary of the said Message Clerk shall be four hundred dollars per annum, payable monthly.

Section 4. That any ordinance or part of ordinance conflicting with the provisions of this ordinance, be and the same is hereby repealed so far as the same affects this ordinance.

Passed May 28th, 1877.

Became a law without the signature of the Mayor, June 13, 1877.

Ordinance Book 5, page 99.

(No. 24.)

A N ORDINANCE—Granting E. Byrne right to erect an iron clad building.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the right be and is hereby granted to E. Byrne to erect an iron clad building 48 by 100 feet on the corner of Butler and Reed streets, Fifteenth ward.

Section 2. That any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same affects this ordinance.

Passed May 28th, 1877.

Became a law without the signature of the Mayor, June 13th, 1877.

Ordinance Book 5, page 100.

(No. 25.)

A N ORDINANCE—Authorizing the Assessment of damages and benefits caused

by the grading of Garden street from Forty-fourth street to Forty-fifth street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled and it is hereby ordained and enacted by the authority of the same, That the Board of Viewers of Street Improvements be and they are hereby authorized and directed to assess the benefits and damages caused by the grading of Garden street from Forty-fourth street to Forty-fifth street in accordance with the provisions of an Act of Assembly entitled an Act concerning streets and sewers in the City of Pittsburgh, approved January 6th, 1864, and the several supplements thereto.

Section 2. That any ordinance or part of ordinance conflicting with the passage of this ordinance at the present time be and the same is hereby repealed so far as the same affects this ordinance.

Passed June 11th, 1877.

Approved June 21, 1877.

Ordinance Book 5, page 100.

(No. 26.)

A N ORDINANCE — Granting Thomas Ogden leave to erect a frame dwelling house.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled and it is hereby ordained and enacted by the authority of the same, That leave be and is hereby granted Thomas Ogden to erect a frame dwelling house on Jane street in the Twenty-fourth ward near the city line.

Section 2. That any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same affects this ordinance.

Passed June 25th, 1877.

Approved June 30th, 1877.

Ordinance Book 5, page 101.

(No. 27.)

A N ORDINANCE—Granting Murray & Elmore right to erect an iron clad building.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled and it is hereby ordained and enacted by the authority of the same, That privilege be and is hereby granted Murray & Elmore to erect a one-story iron clad building on the lot owned by McAuley heirs on Duquesne way, between Cecil alley and Sixth street, said building to be 23 by 65 feet to be used as a stable.

Section 2. That any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same affects this ordinance.

Passed June 25th, 1877.

Approved June 30, 1877.

Ordinance Book 5, page 101.

(No. 28.)

A N ORDINANCE—Authorizing the Assessment of damages and benefits caused by the grading of Thirty-third street from Liberty avenue to Herron avenue.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled and it is hereby ordained and enacted by the authority of the same, That the Board of Viewers of Street Improvements be and they are hereby authorized and directed to assess the benefits and damages caused by the grading of Thirty-third street from Liberty avenue to Herron avenue in accordance with the provisions of an Act of Assembly entitled an Act concerning Streets and Sewers in the City of Pittsburgh, approved January 6th, 1864, and the several supplements thereto.

Section 2. That any ordinance or part of ordinance conflicting with the passage of this ordinance at the present time be and the same is hereby repealed so far as the same affects this ordinance.

Passed June 25th, 1877.

Approved June 30th, 1877.

Ordinance Book 5, page 102.

(No. 29.)

A N ORDINANCE—Granting Margaret McNally privilege to lay a pipe sewer on Second avenue.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled and it is hereby ordained and enacted by the authority of the same, That the privilege be and is hereby granted to Margaret McNally to lay a pipe sewer on Second avenue from her residence to the sewer on Second avenue between Grant and Ross streets connecting with the same, provided that the work shall be done under the supervision of the Street Commissioner and provided that the city of Pittsburgh shall in no case be chargeable with any part of the expense or cost of the same.

Section 2. That any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same affects this ordinance.

Passed June 25th, 1877.

Approved June 30th, 1877.

Ordinance Book 5, page 102.

(No. 30.)

A N ORDINANCE—Authorizing the recurburing and repaving of Sixth street from Penn avenue to Liberty Street.

WHEREAS, a petition was presented to Councils for the repaving and recurburing of Sixth street from Penn avenue to Liberty street which was referred to the Viewers of Street Improvements, who reported to Councils May 14th, 1877, that said improvement would be of both local and general benefit and that the City of Pittsburgh should pay six-tenths (6-10) of the cost of said improvement and the property owners abutting on Sixth street be-

tween Penn avenue and Liberty street should pay four-tenths of the cost of said improvement, provided however that said street shall be paved with other material than cobble stone, now therefore.

Section 1. Be it ordained and enacted by the City of Pittsburgh in Select and Common Councils assembled and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to advertise for proposals for the repaving and recurbings of Sixth street from Penn avenue to Liberty street with other than cobble stone and to let the same in the manner directed by an Act concerning streets, approved January 6th, 1864, and the several supplements thereto and ordinances of Councils relative to the same.

Section 2. That any ordinance or part of ordinance conflicting with the passage of this ordinance at the present time, be and the same is hereby repealed so far as the same affects this ordinance.

Passed June 25th, 1877.

Approved June 30th, 1877.

Ordinance Book 5, page 103.

(No. 31.)

A N ORDINANCE—Authorizing the repaving and recurbings of Market street from railroad track on Fourth avenue to railroad track on Liberty avenue.

WHEREAS, a petition was presented to Councils for the repaving and recurbings of Market street from railroad track on Fourth avenue to railroad track on Liberty street, which was referred to the Viewers of Street Improvements, who reported to Councils May 14th, 1877, that said improvement would be of both local and general benefit and that the City of Pittsburgh should pay six-tenths of the cost of the said improvement and the property owners on said street from Fourth avenue to Liberty street pay four-tenths of the cost of said improvement, provided however that said street shall be paved with other material than cobble stone, now therefore,

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to advertise for proposals for the repaving and recurbings of Market street, from railroad track on Fourth avenue to railroad track on Liberty avenue, with other than cobble stone, and to let the same in the manner directed by an Act concerning streets, approved January 6th, 1864, and the several supplements thereto and ordinances of Councils relative to the same.

Section 2. That any ordinance or part of ordinance conflicting with the passage of this ordinance at the present time be and the same is hereby repealed so far as the same affects this ordinance.

Passed June 25th, 1877.

Approved June 30th, 1877.

Ordinance Book 5, page 103.

(No. 32.)

A N ORDINANCE—Establishing the grade of Bluff street, from east curb of Pride street to east curb of Stevenson street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled and it is hereby ordained and enacted by the authority of the same, That the grade of Bluff street, from the east curb of Pride street to the east curb of Stevenson street be and the same is hereby established as follows: Beginning at the east curb of Pride street at an elevation of 174.13, thence rising 3.21 feet per 100 feet at a distance of 30.85 feet to the west curb of Pride street, thence rising 6.0 feet per 100 feet at a distance of 187.74 feet, thence rising 1.0 foot per 100 feet a distance of 177.93 feet to the east curb of Stevenson street.

Section 2. That any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same affects this ordinance.

Passed June 25, 1877.

Approved July 3, 1877.

Ordinance Book 5, page 104.

(No. 33.)

A N ORDINANCE—Amending an ordinance entitled an ordinance locating Second street, passed 15th May, 1875.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled and it is hereby ordained and enacted by the authority of the same that an ordinance entitled "An ordinance locating Second street" be and the same is hereby amended to read as follows:

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained, and enacted by the authority of the same, That Second street be and is hereby located as follows:

Beginning at a point on Penn avenue about two hundred and eighty-four feet west of the west line of Third street, thence parallel with Third street to Duquesne Way at a width of fifty (50) feet.

Section 2. That any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same affects this ordinance.

Passed June 25th, 1877.

Approved July 3d, 1877.

Ordinance Book 5, page 105.

(No. 34.)

A N ORDINANCE—Authorizing the grading of Centre avenue from Neville street to Liberty avenue.

WHEREAS, It appears that a majority in interest has petitioned for the grading of Centre avenue from Neville street to Liberty avenue therefore,

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to advertise for proposals for the grading of Center avenue from Neville street to Liberty avenue and to let the same in the manner directed by an Act concerning streets, approved January 6, 1864, and the several supplements thereto, and ordinances of Councils relative to the same.

Section 2. That any ordinance or part of ordinance conflicting with the passage of this ordinance at the present time be and the same is hereby repealed so far as the same affects this ordinance.

Passed June 25th, 1877.

Became a law without the signature of the Mayor, July 10th, 1877.

Ordinance Book 5, page 105.

(No. 35.)

A N ORDINANCE—Establishing the grade of Reservoir avenue.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the grade of Reservoir avenue be and the same is hereby established as follows: Beginning at P. C. at foot of Hiland avenue reservoir embankment, thence falling 21.54 feet per 100 feet for a distance of 113.72 feet, thence falling by a vertical curve a distance of 150.00 feet, thence falling 15.00 feet per 100 feet a distance of 916.86 feet, thence falling by a vertical curve a distance of 212.00 feet, thence falling 8.215 feet per 100 feet a distance of 1059.00 feet, thence falling 1.0 foot per 100 feet to the west curb of River avenue.

Section 2. That any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same affects this ordinance.

Passed June 29th, 1877.

Approved July 2d, 1877.

Ordinance Book 5, page 106.

(No. 36.)

A N ORDINANCE—Fixing the number of the Police force of the City of Pittsburgh.

Section 1. Be it ordained and enacted by the City of Pittsburgh in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That from and after the passage of this ordinance, until the first day of January, 1878, the Police force of the City of Pittsburgh shall consist of one Hundred and twenty men, which number shall include the Chief of Police, the Captain of Police, the Detectives, the Lieutenants, the Patrolmen and the Lamp washers.

Section 2. That from and after the first day of January, A. D. 1878, the whole number of the Police force shall be the same as fixed by the ordinance, passed March 30th, 1874, entitled an ordinance, regulating the number of Police officers and Lamp washers for the year 1874.

Section 3. That the number of said force to be employed as Detectives, Lieutenants, Patrolmen and Lamp washers during the time aforesaid shall be fixed by the Mayor subject to the approval of the Committee on Police of Councils.

Section 4. That any ordinance or part of ordinance conflicting with the provisions of this ordinance at the present time be and the same is hereby repealed so far as the same affects this ordinance.

Passed June 30th, 1877.

Approved July 10th, 1877.

Ordinance Book 5, page 106.

(No. 37.)

A N ORDINANCE—Granting the Pittsburgh, Cincinnati and St. Louis Railroad Company the right to erect frame buildings for freight and passenger depots.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the right be and is hereby granted to the Pittsburgh, Cincinnati and St. Louis Railroad Company to erect two frame buildings for freight and passenger depot purposes, the freight building to be about 100 by 20 feet and the passenger building to be about 30 by 20 feet on Carson street, Thirty-fourth ward.

Section 2. That any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed, so far as the same affects this ordinance.

Passed July 9th, 1877.

Approved July 11th, 1877.

Ordinance Book 5, page 107.

(No. 38.)

A N ORDINANCE—Authorizing the opening of Chestnut street from Wood street to Carson street.

Section 1. Be it ordained and enacted by the City of Pittsburgh in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to survey and open within sixty days from the date of the passage of this ordinance, Chestnut street from Wood street to Carson street, at a width of fifty feet in accordance with a plan on file in the Engineer's office, approved by ordinances passed by Councils Fourteenth day of May, 1877.

The damages caused thereby and the benefits to pay the same to be assessed and collected in accordance with the provisions of an Act of Assembly entitled an Act concerning streets and sewers in the City of Pittsburgh, approved January 6, 1864, and the several supplements thereto.

Section 2. That any ordinance or part of ordinance conflicting with the passage of this ordinance, be and the same is hereby repealed so far as the same affects this ordinance.

Passed July 9th, 1877.

Approved July 11th, 1877.

Ordinance Book 5, page 107.

(No. 39.)

A FURTHER SUPPLEMENT to the ordinance of February 7, 1870, entitled an ordinance to provide for the safe keeping and custody of the funds of the city.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That hereafter the funds of the city shall be deposited in incorporated banks doing business in the city of Pittsburgh, having not less than five hundred thousand dollars (\$500,000) capital, or in incorporated banks whose capital and surplus funds equals or exceeds that amount.

Section 2. That immediately on the passage of this ordinance, and annually thereafter, the Finance Committee be, and they are hereby directed to advertise for proposals from banks of the character designated in the first section of this ordinance, and that said committee chose from the banks who may bid for the keeping of the funds three depositories, and report the same to Councils at their next regular meeting for approval.

Section 3. In the absence of bidders the said committee shall designate three bank of the character aforesaid as depositories, and report the same to Councils for approval.

Section 4. That the funds of the city shall be deposited by the City Treasurer in said depositories as nearly equal as possible, unless otherwise directed by the Finance Committee.

Section 5. That any ordinance or part of ordinance conflicting with the provisions of this ordinance at the present time be and the same is hereby repealed so far as the same affects this ordinance.

Passed July 30th, 1877

Approved August 2d, 1877.

Ordinance Book 5, page 108.

(No. 40.)

DEDICATION of Evans avenue.

I, the undersigned, the owner of the property abutting on Evans avenue, between Fifth avenue and Arabella street, Twentieth ward, do hereby dedicate the ground occupied by said Evans avenue, between the above mentioned points, to public use forever, and do hereby waive any and all claims for damages which may accrue to me by the opening of said Evans avenue by the City of Pittsburgh, at a width of fifty feet, in accordance with the plan of said Evans avenue, approved by Councils 29th day of December, A. D. 1871.

FRAS. SELLERS.

Witness: GEO. BOOTH.

Pittsburgh, February 13, 1877.

In Councils, September 10, 1877, read, received and filed

Recorded in Ordinance Book 5, page 109, September 17th, 1877.

(No. 41.)

AN ORDINANCE—Authorizing the grading, paving and curbing of Smallman street, from Thirty-sixth street to Thirty-seventh street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to advertise for proposals for the grading, paving and curbing of Smallman street from Thirty-sixth street to Thirty-seventh street; and to let the same in the manner directed by an Act concerning streets, approved January 6, 1864, and the several supplements thereto and ordinances of Councils relative to the same.

Section 2. That any ordinance or part of ordinance conflicting with the passage of this ordinance at the present time be and the same is hereby repealed so far as the same affects this ordinance.

Passed September 10, 1877.

Approved September 17, 1877.

Ordinance Book 5, page 110.

(No. 42.)

AN ORDINANCE—Authorizing the construction of a boardwalk on Cassatt and Crescent streets from Cliff street to stairway near line of Seventeenth street, produced.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to advertise for proposals for the construction of a boardwalk on the west side of Cassatt street from Cliff street to Crescent street, thence along north side of Crescent street to head of stairway near the line of Seventeenth street, produced, and to let the same in the manner directed by an Act concerning streets, approved January 6, 1864, and the several supplements thereto and ordinances of Councils relative to the same. The cost and expense of the same to be assessed in accordance with the provisions of an Act of Assembly, entitled "An Act concerning streets and sewers in the City of Pittsburgh," approved January 6, 1864, and the several supplements thereto.

Section 2. That any ordinance or part of ordinance conflicting with the passage of this ordinance at the present time, be and the same is hereby repealed so far as the same affects this ordinance.

Passed September 10, 1877.

Approved September 17, 1877.

Ordinance Book 5, page 110.

(No. 43.)

AN ORDINANCE—Locating Evaline street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, that Evaline street be and is hereby located as follows:

Beginning at a point on the north 5 feet line of Penn avenue at a distance of 310.73 feet from the 10 feet line east side of Conrad street thence deflecting 93° 36' 30" left about 2,488.53 feet to Liberty avenue at a width of 50 feet.

Section 2. That any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same affects this ordinance.

Passed September 24, 1877.

Approved September 27, 1877.

Ordinance Book 5, page 111.

(No. 44.)

AN ORDINANCE—Granting the Pittsburgh, Cincinnati & St. Louis Railroad Company the right to erect and maintain a freight depot building on the southern sidewalk of Carson street, Thirty-fourth ward.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the privilege be and is hereby granted, so far as the City has a right to grant the same, to the Pittsburgh, Cincinnati & St. Louis Railroad Company to occupy the southern sidewalk of Carson street, Thirty-fourth ward, for a distance of 60 feet east and 90 feet west of the center line of the Point

bridge, produced for the purpose of erecting and maintaining thereon buildings for freight depot purposes; provided, however, that the City reserves the right to cause the removal of said buildings from the sidewalk of said Carson street upon six months' notice being given to (and at the proper cost and expense of) said P. C. & St. Louis R. R. Co. by the City Engineer.

Section 2. That any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same affects this ordinance.

Passed September 24, 1877.

Approved September 27, 1877.

Ordinance Book 5, page 111.

(No. 45.)

AN ORDINANCE—Granting Dithridge Glass Company right to erect an iron clad building.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That privilege be and is hereby granted the Dithridge Glass Company to erect an iron clad building adjoining their brick factory, at the foot of Seventeenth street, South Side, said building to be sixteen by ninety feet.

Section 2. That any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same affects this ordinance.

Passed October 8, 1877.

Approved October 15, 1877.

Ordinance Book 5, page 112.

(No. 46.)

AN ORDINANCE—Granting Davis, Chambers & Co. right to erect a frame shed.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That privilege be and is hereby granted Davis, Chambers & Co. to erect a frame shed 30 by 60 feet to be used as a corrodng house at their new works, between Forty-fifth and Forty-sixth streets.

Section 2. That any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same affects this ordinance.

Passed October 28, 1877.

Approved November 1, 1877.

Ordinance Book 5, page 113.

(No. 47.)

DEDICATION of Sabina street.

To the Honorable the Select and Common Councils of the City of Pittsburgh.

GENTLEMEN:

I hereby open and dedicate to public use forever Sabina street, from Hazlewood avenue to Frank street, in the Twenty-third ward — — — and I hereby waive any and all claims of damages on account of said dedication and opening of said street, and I

hereby desire the said street to be recorded in the Records of Streets in the city.

Very respectfully &c.,

F. KOHNE.

In Councils October 29th, 1877. Read and received.

Ordinance Book 5, page 112.

(No. 48.)

DEDICATION of Arabella street.

I, the undersigned, the owner of the property abutting on Arabella street, between Shady lane and Evans avenue, Twentieth ward, do hereby dedicate the ground occupied by said Arabella street, between the above mentioned points, to public use forever, and do hereby waive any and all claims for damages, which may accrue to me by the opening of said Arabella street, by the city of Pittsburgh, at a width of fifty feet in accordance with the plan of said Arabella street, approved by Councils twenty-ninth day of December, A. D. 1871.

FRA'S SELLERS.

Pittsburgh, February 13th, 1877.

Witness, GEO. BOOTH.

In Councils, June 11, 1877. Read, received and filed.

Recorded in Ordinance Book, vol. 5, page 113, November 7, 1877.

(No. 49.)

DEDICATION of Harrison street.

I, the undersigned, the owner of the property abutting on Harrison street between Shady Lane and Evans avenue, Twentieth ward, do hereby dedicate the ground occupied by said Harrison street, between the above mentioned points, to public use forever, and do hereby waive any and all claims for damages which may accrue to me by the opening of said Harrison street, by the City of Pittsburgh, at a width of fifty feet in accordance with the plan of said Harrison street, approved by Councils 29th day of December, A. D. 1871.

FRA'S SELLERS.

Witness: GEO. BOOTH.

Pittsburgh, February 13, 1877.

In Councils, June 11, 1877, read, received and filed.

Recorded in Ordinance Book 5, page 114, November 7, 1877.

(No. 50.)

DEDICATION of Mellwood avenue.

We, the undersigned owners of the property abutting on Mellwood avenue (formerly Meyran avenue) between Thirty-third street and Mrs. Denny's property, in the Thirteenth ward, City of Pittsburgh, do hereby dedicate the ground and bridge erected on the said street, and the ground occupied by the said Mellwood avenue, between the above mentioned points, to the public use forever, and do hereby waive any and all claims for damages which may accrue to us by the opening of said Mellwood avenue by the city of Pittsburgh, at a width of fifty feet, in accordance

with the plan of said Mellwood avenue, in Reineman, Dickson & Co's plan, as recorded in the office for the recording of deeds, in and for the County of Allegheny, in Plan Book, vol. 4, pages 66 and 67.

Witness our hands and seals this day of
A. D. 1877.

C. MEYERAN,	[SEAL.]
A. GROETZINGER,	[SEAL.]
J. GROETZINGER,	[SEAL.]
AD. REINEMAN,	[SEAL.]
W. H. KENNEDY,	[SEAL.]
THOS. C. DICKSON,	[SEAL.]
ROBERT DICKSON,	[SEAL.]

Witness:

C. M. SEIBERT.

Before me, City Clerk, came C. M. Seibert, who being duly sworn, says that the signatures to the foregoing dedication are the genuine signatures of the parties, who are the owners of the property abutting on said Mellwood avenue, between the points named in the said dedication.

C. M. SEIBERT.

Sworn and subscribed to.

E. S. MORROW.

In Councils, November 12th, 1877. Read, received and filed.

Recorded in Ordinance Book, vol. 5, page 114, November 17th, 1877.

(No. 51.)

A N ORDINANCE—Establishing the grade of Knox avenue between Arlington avenue and the City Line.

Section 1. Be it ordained and enacted by the city of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the grade of Knox avenue from Arlington avenue to the City Line be and the same is hereby established as follows:

Beginning at the south curb of Arlington avenue, thence falling 1.0 feet per hundred feet, a distance of 338.15 feet to the north curb of Fourth street, thence rising by a vertical curve a distance of 120.0 feet, thence rising 9.0 feet per hundred feet a distance of 169.96 feet to the City Line.

Section 2. That any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same affects this ordinance.

Passed November 12, 1877.

Approved November 15, 1877.

Ordinance Book 5, page 115.

(No. 52.)

A N ORDINANCE—Amending City Code, title Buildings, Section 17.

Section 1. Be it ordained and enacted by the city of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Code, title Buildings, Section 17, be and is hereby amended to read as follows:

Section 17. It shall be lawful to place building materials on the side of the cartways of the public streets, squares or alleys, but not on any of the footways, provided always, however, that the same be put up in regular, compact forms or heaps, placing lumber, boards, logs and scantlings lengthwise along

the street, and piling stones and bricks in oblongs, the longest side running with the street or alley, and so exercising this privilege as to leave the gutters free and unobstructed and a passage for wagons of one-half the width of the street, and that the same shall not be permitted to so remain longer than may be necessary for the construction of said building, and provided further also, that after dark, red lanterns shall be so placed on the outside ends of said heaps of building material between twilight and daybreak as to give warning and prevent accidents by reason of the use or occupancy of said street, alley or highway as aforesaid, and if any person shall place building materials contrary to the provisions herein contained, he shall pay a fine of five dollars for each day the same are so placed.

Section 2. That any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same affects this ordinance.

Passed November 12, 1877.

Approved November 22, 1877.

Ordinance Book 5, page 115.

(No. 53.)

A N ORDINANCE—Establishing the grade of the east curb of Aiken avenue.

Section 1. Be it ordained and enacted by the city of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the grade of Aiken avenue (east curb) be and the same is hereby established as follows:

Beginning at the north curb of Fifth avenue, thence falling five feet per hundred feet a distance of 270.12 feet to the north curb of Arabella street, thence falling by a vertical curve a distance of 748.17 feet to the south curb of Dahlia street, thence falling one foot per hundred feet, a distance of 680.12 feet to the south curb of Ellsworth avenue, thence falling 0.297 feet per hundred feet a distance of 30.31 feet to the north curb of Ellsworth avenue, thence falling 0.937 feet per hundred feet a distance of 1224.55 feet to the south curb of Center avenue.

Section 2. That any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same affects this ordinance.

Passed November 12, 1877.

Became a law without the signature of the Mayor November 27, 1877.

Ordinance Book 5, page 116.

(No. 54.)

A N ORDINANCE—Granting the Central Elevator Company right to erect a wooden building.

Section 1. Be it ordained and enacted by the City of Pittsburgh in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the Central Elevator Company be and they are hereby granted the right to erect a wooden building, which shall be plated and covered with either iron or slate, at the corner of Eleventh street and Duquesne Way, for the purpose of a grain elevator.

Section 2. That any ordinance or part of or-

dinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same affects this ordinance.

Passed November 26, 1877.

Approved December 4th, 1877.

Ordinance Book 5, page 117.

(No. 55.)

A N ORDINANCE—Granting to Messrs. James McNeil & Bro., boiler manufacturers, the privilege of erecting a two-storied iron-clad building, to be used as a workshop, on Spruce alley and Twenty-ninth street, Twelfth ward.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That privilege be and is hereby granted to Messrs. James McNeil & Bro., of the Twelfth ward, to erect a two-storied iron-clad building, to be used as a workshop in connection with their present boiler manufactory on Spruce alley and Twenty-ninth street, in the Twelfth ward, of the following dimensions: Twenty-four (24) feet front on Spruce alley and extending along Twenty-ninth street one hundred and twenty (120) feet.

Section 2. That any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same affects this ordinance.

Passed November 26th, 1877.

Approved December 4th, 1877.

Ordinance Book 5, page 117.

(No. 56.)

A N ORDINANCE—Authorizing the location of Monroe street from Webster avenue to Ridge street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That Monroe street from Webster avenue to Ridge street be, and the same is hereby located as follows: Beginning at the north side line of Webster avenue, thence northwardly deflecting $95^{\circ} 25' 30''$ to the right, a distance of 356 feet; thence north $52^{\circ} 40'$ east to the center of Ridge street, at a width of 40 feet.

Section 2. That any ordinance or part of an ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same effects this ordinance.

Passed November 26th, 1877.

Approved December 4th, 1877.

Ordinance Book 5, page 118.

(No. 57.)

A N ORDINANCE—Locating Wyandotte lane.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That Wyandotte lane be and the same is hereby located as follows: Beginning at the east line of the property of G. Schleiter, thence N $62^{\circ} 42' 00''$ E a distance of 688.29 feet to

the east side of Addison street (as shown in the city district plan), in accordance with Yost Ruch's plan of streets, approved by Councils June 15, 1874. Provided, however, that all buildings or improvements now on the street outside of the 33 feet line is located in Ralph Reed's plan of lots shall be permitted to remain until the same shall be rebuilt or removed; then, and in such case the same shall be rebuilt to the line of the 40 feet street as herein located.

Section 2. That any ordinance or part of an ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same effects this ordinance.

Passed November 26th, 1877.

Approved December 4th, 1877.

Ordinance Book 5, page 118.

(No. 58.)

A N ORDINANCE—Authorizing the grading, paving and curbing of Thirty-fourth street, from Butler street to Smallman street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and is hereby authorized and directed to advertise for proposals for the grading, paving and curbing of Thirty-fourth street, from Butler street to Smallman street, and to let the same in the manner directed by an Act concerning streets, approved January 6, 1864, and the several supplements thereto and ordinances of Councils relative to the same.

Section 2. That any ordinance or part of an ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same effects this ordinance.

Passed November 26th, 1877.

Approved December 4th, 1877.

Ordinance Book 5, page 119.

(No. 59.)

A N ORDINANCE—Supplementary to an ordinance entitled "An ordinance to provide for the safe keeping and custody of the funds of the city."

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled and it is hereby ordained and enacted by the authority of the same, That the provisions of the ordinance, entitled an ordinance to provide for the safe keeping and custody of the funds of the city, dated 7th February, 1870, or of any amendment or supplement thereto, requiring the depositories to furnish bonds with sureties for the safe keeping of the city funds, shall be and the same is hereby repealed.

Passed November 26th, 1877.

Became law without the signature of the mayor, December 11th, 1877.

Ordinance Book 5, page 119.

(No. 60.)

D E DICATION of an alley in Bloomfield lying between Elm and Cedar streets.

Know all men by these presents, that I, William Mazet, purchased a portion at the

Patterson's plan of Bloomfield, said portion lying between Main street and an alley about 600 feet west thereof, and between Elm and Cedar streets; and I dedicated for public use an alley in the center of said property and parallel to Elm and Cedar streets and sold the lots to said alley having a width of _____ feet.

WM. MAZET.

In Councils, December 10, 1877, read, received and ordered to be filed.

Recorded in Ordinance Book 5, page 120, December 14th, 1877.

(No. 61.)

A N ORDINANCE—Establishing the grade of Smallman street from Thirty-sixth street to an alley in the rear of the lots fronting Thirty-eighth street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled and it is hereby ordained and enacted by the authority of the same, That the grade of Smallman street from Thirty-sixth street to an alley in the rear of the lots fronting Thirty-eighth street be and the same is hereby established as follows:

Beginning at the east curb of Thirty-sixth street, thence rising 1.387 feet per 100 feet to the west curb of Thirty-seventh street, to the east curb of Thirty-seventh street, thence rising 1.3 feet per 100 feet to said alley in the rear of the lots fronting on Thirty-eighth street.

Section 2. That any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same affects this ordinance.

Passed December 10th, 1877.

Approved December 13th, 1877.

Ordinance Book 5, page 120.

(No. 62.)

A N ORDINANCE—Authorizing the grading of Basin alley from Elm street to Washington street.

Section 1. Be it ordained and enacted by the City of Pittsburgh in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to advertise for proposals for the grading of Basin alley, from Elm street to Washington street, and to let the same in the manner directed by an Act concerning streets, approved January 6th, 1864, and the several supplements thereto and ordinances of Councils relative to the same.

Section 2. That any ordinance or part of ordinance conflicting with the passage of this ordinance at the present time be and the same is hereby repealed so far as the same affects this ordinance.

Passed December 10th, 1877.

Approved December 18th, 1877.

Ordinance Book 5, page 121.

(No. 63.)

A N ORDINANCE—Fixing the grade of the north curb of Center avenue from Hiland avenue to Neville street.

Section 1. Be it ordained and enacted by the

City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the grade of the north curb of Center avenue, from Hiland avenue to Neville street, be and the same is hereby established as follows:

Beginning at the west curb of Hiland avenue, thence falling 2.431 feet per 100 feet a distance of 291.12 feet; thence falling 1.0 foot per 100 feet a distance of 1136.45 feet to the east curb of College avenue, thence rising 1.0 foot per 100 feet a distance of 322.35 feet, thence falling 1.0 foot per 100 feet a distance of 652.24 feet, thence rising 1.0 foot per 100 feet a distance of 260.00 feet to the east curb of Roup street, thence level a distance of 30.00 feet to the west curb of Roup street, thence falling 1.0 foot per 100 feet a distance of 739.31 feet to the west curb of Iona street, thence rising 2.50 feet per 100 feet a distance of 1095.75 feet, thence falling 2.0 feet per 100 feet a distance of 767.92 feet, thence level a distance of 910.97 feet to the west curb of Bidwell street, thence falling 1.0 foot per 100 feet a distance of 962.89 feet to the east curb of Neville street.

Section 2. That any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same affects this ordinance.

Passed December 28th, 1877.

Approved January 4th, 1878.

Ordinance Book 5, page 121.

(No. 64.)

A N ORDINANCE—Establishing the grade of Thirty-fourth street, from Butler street to Smallman street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the grade of Thirty-fourth street, from Butler street to Smallman street, be and the same is hereby established as follows:

Beginning at the north curb of Butler street, at an elevation of 56.14', thence falling 10.00 feet per 100 feet to the south side of Lafayette alley, thence falling 5.10 feet per 100 feet to the north side of Lafayette alley, thence falling 8.00 feet per 100 feet to the south curb of Charlotte street, thence falling 1.0 foot per 100 feet to the south curb of Smallman street.

Section 2. That any ordinance or part of ordinance conflicting with the provisions of this ordinance, be and the same is hereby repealed so far as the same affects this ordinance.

Passed December 28th, 1877.

Approved January 4th, 1878.

Ordinance Book 5, page 122.

(No. 65.)

A N ORDINANCE—Granting to the Pittsburgh and Birmingham Passenger Railway Company the right to extend their tracks from Seventh avenue along Smithfield street to Liberty, thence along Liberty street to the Union depot.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the consent of said Councils is hereby given to the Pittsburgh and Birmingham Passenger Railway Company to use and occupy

for the purpose of their railway the following streets of the City of Pittsburgh, and the said company is hereby authorized to enter upon and lay down rails for a double track through the same, as follows, viz: Commencing at Seventh avenue on Smithfield street, thence along Smithfield street to Liberty street, thence along Liberty street, to the Union depot; provided, that said Railway Company shall keep clean and in perpetual good repair that portion of Liberty street, traversed by said railway from the outside of their northern track to the curb on the southern side of said street, and shall keep clean and in perpetual good repair from curb to curb that portion on Smithfield street used by the said railway, subject to all other restrictions and conditions contained in the Act of Assembly incorporating said company, and subject also to all the terms, conditions, restrictions and limitations contained in the ordinance of August 29th, A. D. 1859, authorizing the said Railway Company to occupy and traverse Smithfield street, and Section 2 of an ordinance passed 28th March, A. D. 1870. Provided, however, that this ordinance shall not go into effect until the Pennsylvania Railroad Company shall have removed one of their tracks off Liberty street from Smithfield street to the junction of the same with the tracks of the Pittsburgh, Fort Wayne and Chicago Railroad Company, near Eleventh street.

Section 2. That any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed, so far as the same affects this ordinance.

Passed December 28th, 1877.

Approved January 4th, 1878.

Ordinance Book 5, page 123.

(No. 66.)

A N ORDINANCE—Authorizing the grading and paving of Spring alley from Laurel avenue to Mary street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to advertise for proposals for the grading and paving of Spring alley from Laurel avenue to Mary street, and to let the same in the manner directed by an Act concerning streets, approved January 6, 1864, and the several supplements thereto and ordinances of Councils relative to the same.

Section 2. That any ordinance or part of ordinance conflicting with the passage of this ordinance at the present time, be and the same is hereby repealed, so far as the same affects this ordinance.

Passed December 28th, 1877.

Approved January 5th, 1878.

Ordinance Book 5, page 124.

(No. 67.)

A N ORDINANCE—Vacating Finley street from Lake street to Spring street, Twenty-first ward.

WHEREAS, By the opening of Spring street and Lincoln avenue that portion of Finley street lying between Lake street and Spring street has been rendered useless, therefore,

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That that portion of said Finley street, situate between the said Lake street and Spring street (as shown in the accompanying plan) be and the same is hereby vacated.

Section 2. That any ordinance or part of ordinance conflicting with the provisions of this ordinance, be and the same is hereby repealed so far as the same affects this ordinance.

Passed December 31, 1877.

Approved January 2, 1878.

Ordinance Book 5, page 124.

(No. 68.)

A N ORDINANCE—Vacating a portion of a township road known as "The Puckety Road", from Lincoln avenue to Armstrong alley.

WHEREAS, by the opening of Spring street, Armstrong alley and a twenty feet alley, that portion of a township road known as "The Puckety Road," lying between the junction of Lincoln avenue and Spring street and said twenty feet alley and Armstrong alley, has been rendered useless, therefore,

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That that portion of the "Puckety Road" situate between the junction of said road with Lincoln avenue and Spring street, and with Armstrong alley and said twenty feet alley (as shown in annexed plan) be and the same is hereby vacated.

Section 2. That any ordinance or part of an ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed, so far as the same affects this ordinance.

Passed December 31, 1877.

Approved January 2, 1878.

Ordinance Book 5, page 126.

(No. 69.)

A N ORDINANCE—Extending the time for the payment of moneys on deposit in the United Savings Bank, by virtue of said bank being a depository of the City of Pittsburgh.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the time for the payment of the moneys on deposit in the United Savings Bank, of Pittsburgh, by virtue of said bank being a depository of the City of Pittsburgh, shall, upon the said United Savings Bank, or any of its stockholders, giving securities to be satisfactory to and approved by the Finance Committee of Councils, said securities to be given and approved within thirty days after the passage of this ordinance, be and the same is hereby extended as follows:

Twenty-five thousand dollars prior to the approval of this ordinance and the balance in four equal semi-annual payments from the first day of December, 1877, with interest at the rate of four per cent, from December 1, 1877, provided, however, that in case the United Savings Bank shall fail to pay any of the be-

forementioned installments at the time designated or thirty days thereafter, then the whole amount of the unpaid balance shall become due and payable, and shall be collected forthwith with interest thereon, as approved in the manner provided in the said original contract and the ordinance under and by virtue of which it was let. And provided, also, that before this ordinance shall be considered effective, the sureties upon the bond of said United Savings Bank executed and delivered to the city for the faithful discharge of its stipulations in said contract, shall first assent, in writing, to the provisions hereof and expressly agreeing to be bound by their said bond in the same manner and to the same effect as if this extension of time had not been granted. And provided, further, that if said twenty-five thousand dollars are not paid within the time heretofore specified, or if the securities aforesaid are not given and approved within the time herein before set forth, then and in such case, this ordinance shall not go into operation and shall be void and of no effect. And, provided further, that the heirs and personal representatives of Wm. H. Brown, deceased, and of any other deceased member or stockholder of the said United Savings Bank, liable to the city of Pittsburgh under the contract with said bank, shall first assent in writing to the provisions hereof, and that their liability shall not be affected thereby before this ordinance shall become effective.

Section 2. That any ordinance or part of an ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed, so far as the same affects this ordinance.

Passed December 31, 1877.

Approved January 5, 1878.

Ordinance Book 5, page 127.

(No. 70.)

AN ORDINANCE—Granting certain privileges to the Pittsburgh and Lake Erie Railroad Company and the Pittsburgh and Castle Shannon Railroad Company.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the Pittsburgh and Lake Erie Railroad Company be and is hereby authorized and empowered to enter upon and lay down rails for a single or double track of railway with the necessary turn-outs and switches for the use of said road on a line not further south than the south line of Water street, from the lower terminus of said Water street, in the Thirtieth ward of said city to the upper terminus of said street in the Twenty-fifth ward, with the right to cross all streets on the line of said road within the City limits, on such lines and grades as shall be approved by the Street Committee and the City Engineer, subject to the conditions, restrictions and limitations hereinafter set forth.

Section 2. The said Company shall not in running trains or locomotives within the limits of the City, adopt or permit a greater rate of speed than four miles an hour.

Section 3. That said Company shall at all times hereafter be subject to such rules and regulations as may be found necessary for the protection and security of the person and property of the citizens.

Section 4. That said Company shall construct such passage ways and water courses as the Street Committee and City Engineer may require in the construction of said road.

Section 5. That in the construction of their roadway, wherever the same shall cross any street, and opposite to the ends of all streets, the said Company, where the said roadway is above or below the grade of said streets, shall construct bridges, over and across said streets and over and across the approaches to said streets of a span equal to the full width of said streets, with the privilege to erect columns to support the same on the curb line.

Section 6. That the said Company in the construction of their road along Water street shall construct the same on trestle work in such a manner as not to obstruct or prevent the use of the said street as a wharf or for other purposes.

Section 7. That before this ordinance shall become operative the said Company shall submit to the City Engineer the plans and profiles of their lines and plans of all work contemplated to be done by them, and if the said Engineer shall be of opinion that said plans and profiles are in accordance with the requirements of the provisions of this ordinance, he shall approve the same, but if he shall be of opinion that they do not meet said requirements, he shall have power to make such modifications of the same as he may deem necessary, and if said Company shall not agree to perform the work as the City Engineer may approve, then the said Company may appeal to the Street Committee, whose decision shall be final and conclusive; and further, that wherever the line of said road shall be at the grade of the said street, the rails shall be of such pattern as may be approved by said Engineer, and wherever the said road shall cross any street at grade, the said Company shall keep the pavement of said street in perpetual good repair between the rails, and for a distance of five feet on each side of the tracks of said road; and further, that the said Pittsburgh and Lake Erie Railroad Company shall grant the right and privilege to the Pittsburgh and Castle Shannon Railroad Company to connect with and lay down and maintain a third rail on their tracks within the present limits of said Water street, and also grant to Pittsburgh and Castle Shannon Railroad Company the right and privilege to run their freight, passenger and other trains over said tracks within the present limits of said Water street, subject, however, to the schedule time, rules and regulations for trains of the same class of the Pittsburgh and Lake Erie Railroad Company, upon such terms as shall be mutually agreed between the said Companies, or as shall be fixed by arbitration. In case of disagreement each Company choosing one arbitrator and they two a third, the award and decision of a majority of whom shall be final and binding upon both said Companies.

Section 8. That said Companies in operating their road shall not use the steam whistle as a signal within the limits of the City.

Section 9. That before this ordinance shall go into effect or become operative, the said Companies shall file in the office of the City Controller a properly certified copy of a resolution of the Board of Directors of said Companies, accepting and agreeing to all the provisions, limitations and restrictions of this ordinance, and in case a copy of such resolu-

tion is not filed in the said City Controller's office within sixty days after the passage of this ordinance, then this ordinance shall be void and of no effect; provided, however, that should the Pittsburgh and Lake Erie Railroad Company and Pittsburgh and Castle Shannon Railroad Company, lease, sell or otherwise transfer their railroad, then the right and privileges hereby granted shall forthwith and thereby be revoked and rescinded.

Section 10. That any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same affects this ordinance.

Passed December 31, 1877.

Approved January 4, 1878.

Ordinance Book 5, page 128.

(No. 71.)

AN ORDINANCE—Authorizing certain changes to be made in the contract made between the City of Pittsburgh and the Pennsylvania Railroad Company, dated December 24th, 1872.

Section 1. Be it ordained and enacted by the City of Pittsburgh in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That, whereas, circumstances have arisen, which make it to the mutual advantage of the City of Pittsburgh and the Pennsylvania Railroad Company that certain changes should be made in the contract entered into between the said City and the said Company on the 24th day of December, A. D. 1872, the consent of the said City is hereby given to changes in said contract as follows: In lieu of the footbridge extending from Fountain street to the north side of Liberty street as provided in paragraph seven (7) the Pennsylvania Railroad shall construct said bridge from the northerly line of said Fountain street at Washington street to a point on said company's property, about twenty-five (25) feet east of the easterly line of Washington street and to the new southerly line of Liberty street extended. Said bridge to have easterly and westerly approaches by steps or stairs, to be located on said company's property and south of said new southerly line of Liberty street extended, and said company shall construct a substantial retaining wall from a point as far eastwardly from Washington street as may be necessary for the maintenance of Washington street. Thence along the northerly line of Fountain street (on their own property) to Seventh avenue, and to a height of four (4) feet above the grade of Fountain street. Said wall thus constructed to be covered with coping, in the centre of which shall be placed a row of sharp spikes, to prevent persons from getting on top of said wall. In lieu of widening Cherry alley, as provided in paragraph seven in said contract, Pennsylvania Railroad Company shall open, grade, pave and curb a street on its own ground sixty (60) feet in width, extending from Seventh avenue to Liberty street, and parallel with Grant street, the easterly line of which street shall be distant sixty (60) feet westwardly from the present west line of Grant street. And if said company shall not within three years finally acquire, by purchase or otherwise, the ground upon which said proposed new street shall be opened or widen Cherry alley to the width of seventy (70) feet, as provided for in the original

contract between said city and said company, then and in such case, Grant and Washington streets shall be deemed and considered as not vacated, but open for public use, and all the benefits and provisions conferred and contained in this ordinance shall be deemed null and void, provided, that the said company shall have the right so far as can be granted by said city, at any time hereafter to close up said new street upon widening Cherry alley, as provided in said original contract of December 24th, A. D. 1872, and continuing the new southerly line of Liberty street and the northerly line of Seventh avenue to Cherry alley so widened. Said company shall establish a depot for the receipt and shipment of freight to and from Pittsburgh at some point within the area bounded by Fountain street, the new street, Liberty street and Seventh avenue. Also another depot for like purposes in the vicinity of Twenty-sixth street. In lieu of widening Liberty street from Cherry alley to the east side of Grant street as provided for in paragraph seven of said original contract, the said company shall add twenty (20) feet to the south side of Liberty street from the new street herein provided for to the east side of Washington street. Shall grade, pave and curb the same and repave that portion of Liberty street between the points named, from its center to its southerly line, and shall pave such side arrangements for the accommodation of pedestrians as may be deemed necessary by the city, and the said company shall maintain but one track on Liberty street from the Union Depot to the Duquesne Depot. And said company further agree to provide sufficient space on their own ground for the loading and unloading of freight by said company or the public, so as to keep the whole of said new street, Seventh avenue and Liberty street, adjoining their property, entirely free and unobstructed. All work under the said contract or its supplements shall be subject to the approval of the City Engineer as to quality and kind of material, and should any difference arise between the City Engineer and the engineer of the said company, the same shall be settled as provided in paragraph three of the contract. And the said company agrees not to run any trains on Liberty street, between the hours of 8 A. M. and 5 P. M., after the completion of the said new street. And the company further agrees to keep their platform for the receipt and delivery of freight at least ten feet from the east side of said new street.

Section 2. Section 13 of said original contract shall be changed so that Grant street and Washington street shall be closed and used by the said company upon the compliance of said company with the provisions hereof, as to the widening of Liberty street and Seventh avenue, the opening of the new street, and the grading, paving and curbing thereof, and the repaving of those portions of Liberty street and Seventh avenue, as may be deemed necessary by the City Engineer, and the construction of a footbridge as herein provided for, and shall continue so closed and used for the period of three years from the date of the passage of this ordinance, when, if the said Company shall have fully complied with the stipulations of said original contract and the supplements thereto, the said Grant street and Washington street, or the portions thereof described in the said original contract, shall become vacated absolutely, but in case of the failure of said Company to comply with its

contract within said period, then the said Giant street and Washington street shall be considered and retaken as public highways, and immediately reopened and placed in their present condition for public use, at the expense of said Company; provided, however, that this agreement as to time shall not be construed so as to relieve said Company from a compliance with any and all the requirements of the said original contract and supplements thereto as to the time of commencing or completing the work therein provided for, nor shall it effect the right of the city to enforce a forfeiture of the contract on account of any delay on the part of said company in the performance of any and all work as provided in the original and supplements thereto.

Section 3. That before the actual vacation, closing or surrender of any portion of the streets herein mentioned, the said company shall file with the Controller of the City of Pittsburgh a duly certified copy of the action of the Board of Directors of said Company, assuming and agreeing to pay any and all damages for which the City of Pittsburgh may be held legally liable to the holders of or the owners of property or others, by the reason of the closing or vacation of streets herein named.

Section 4. That before this ordinance shall go into effect the Pennsylvania Railroad Company shall file with the City Controller a properly authenticated copy of a resolution of the Board of Directors accepting all the terms and conditions thereof.

Section 5. That any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same affects this ordinance.

Passed December 28th, 1877.

Became a law without the signature of the Mayor, January 9th, 1878.

Ordinance Book 5, page 130.

(No. 72.)

A N ORDINANCE—Establishing the grade of Smallman street, from Thirty-third street to Thirty-fifth street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the grade of Smallman street, from Thirty-third to Thirty-fifth street, be and the same is hereby established as follows:

Beginning at the east curb of Thirty-third street at an elevation of 39.07', thence falling 1.31 feet per 100 feet to the west curb of Thirty-fourth street, thence 0.0 per 100 feet to the east curb of Thirty-fourth street, thence rising 1.004 feet per 100 feet to the west curb of Thirty-fifth street.

Section 2. That any ordinance or part of ordinance conflicting with the provisions of this ordinance at the present time be and the same is hereby repealed so far as the same affects this ordinance.

Passed January 4th, 1878.

Approved January 10th, 1878.

Ordinance Book 5, page 132.

(No. 73.)

A N ORDINANCE—Locating Fetzer street from Bertha street to Kirkpatrick street.

Section 1. Be it ordained and enacted by

the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the five feet (south side) running line of Fetzer street from Bertha street to Kirkpatrick street be and the same is hereby established as follows:

Beginning at the east side of Bertha street 105 feet northwardly from the north side of Herman alley, thence south 73° 40' east a distance of 400 feet to the west side of Kirkpatrick street at a width of forty feet.

Section 2. That any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same affects this ordinance.

Passed January 4, 1878.

Approved January 10, 1878.

Ordinance Book 5, page 133.

(No. 74.)

A N ORDINANCE—Authorizing the grading, paving and curbing of Cliff street, from east side of Cassett street to Gum street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to advertise for proposals for the grading, paving and curbing of Cliff street, from the east side of Cassett street to Gum street, and to let the same in the manner directed by an Act concerning streets, approved January 6, 1864, and the several supplements thereto, and ordinances of Councils relative to the same.

Section 2. That any ordinance or part of ordinance conflicting with the passage of this ordinance at the present time, be and the same is hereby repealed, so far as the same affects this ordinance.

Passed January 4, 1878.

Approved January 10, 1878.

Ordinance Book 5, page 133.

(No. 75.)

A N ORDINANCE—Authorizing the grading and paving of Exchange alley from west side of Evans alley to a point one hundred feet east of east side of Fourth street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to advertise for proposals for the grading and paving, with block stone, of Exchange alley, from west side of Evans alley, to a point about one hundred feet east of east side of Fourth street, and to let the same in the manner directed by an Act concerning streets, approved January 6, 1864, and the several supplements thereto, and ordinances of Councils relative to the same.

Section 2. That any ordinance or part of ordinance conflicting with the passage of this ordinance at the present time, be and the same is hereby repealed, so far as the same affects this ordinance.

Passed January 4th, 1878.

Approved January 10th, 1878.

Ordinance Book 5, page 134.

(No. 76.)

AN ORDINANCE—Authorizing the construction of a sewer on Second avenue, from Market street to Wood street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to advertise for proposals for the construction of a pipe sewer twenty inches in diameter on Second avenue, from Market street to a connection with the sewer on Wood street, and to let the same in the manner directed by an Act concerning streets, approved January 6, 1864, and the several supplements thereto and ordinances of Councils relative to the same. The cost and expense of the same to be assessed and collected in accordance with the provisions of an Act of Assembly entitled "An Act concerning streets and sewers in the City of Pittsburgh," approved January 6, 1864, and the several supplements thereto.

Section 2. That any ordinance or part of ordinance conflicting with the passage of this ordinance at the present time, be and the same is hereby repealed so far as the same affects this ordinance.

Passed January 4, 1878.

Approved January 10, 1878.

Ordinance Book 5, page 134.

(No. 77.)

AN ORDINANCE—Authorizing the opening of Arch street from Cassatt street to Ledlie street.

Section 1. Be it ordained and enacted by the City of Pittsburgh in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to survey and open within sixty days from the date of the passage of this ordinance Arch street from Cassatt street to Ledlie street at a width of sixty feet in accordance with a plan on file in the Engineer's office approved by Councils 11th day of November, 1872.

The damages caused thereby and the benefits to pay the same to be assessed and collected in accordance with the provisions of an Act of Assembly entitled "An Act concerning streets and sewers in the City of Pittsburgh," approved January 6, 1864, and the several supplements thereto.

Section 2. That any ordinance or part of ordinance conflicting with the passage of this ordinance at the present time be and the same is hereby repealed so far as the same affects this ordinance.

Passed January 4, 1878.

Approved January 10, 1878.

Ordinance Book 5, page 135.

(No. 78.)

AN ORDINANCE—Amending sections one, three, thirteen and fourteen of an ordinance entitled an ordinance regulating the manner of letting the public printing, and prescribing the manner of doing the same, passed March 29, 1875.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same,

That sections one, three, thirteen and fourteen of an ordinance, entitled an ordinance regulating the manner of letting the public printing and prescribing the manner of doing the same, passed March 29, 1875, be and the same are hereby amended as follows:

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Controller shall immediately, after the passage of this ordinance, and on the second Monday of December annually thereafter, by advertisement in the official newspapers of the city for at least two weeks before the letting hereafter provided for, invite sealed proposals for contracts to do the newspaper printing, job printing, and binding for Councils and the various departments of the city government, the publication of the Municipal Record, and printing the files of Councils. That separate proposals shall be invited and separate contracts awarded for newspaper printing, printing files of Councils, and publishing Municipal Record, but job printing and binding shall be included in one proposal and contracts. The proposals for contracts shall be addressed to the City Controller, and by him transferred to the Chairman of Printing Committee on or before three o'clock on the day provided for the letting of said contracts. Each of said proposals shall be accompanied by a bond, with two sufficient sureties, in double the amount of the bid, conditioned for the faithful performance of the obligations of such contracts. On the first Monday in January, 1878, and annually thereafter, the Committee on City Printing shall meet in the office of the City Clerk, at 7:30 o'clock, P. M., and proceed publicly to open the said proposals and award the respective contracts to the lowest responsible bidders in the manner provided by ordinance.

Section 3. That all public advertisements shall be printed in a type not less in size than regular agate, and a square shall consist of ten lines of said type without being leaded or displayed.

Section 13. That all blanks, blank books, circulars, printed forms, envelopes, paper or parchment with official headings, printed cards or slips of names, with all other supplies of a like character, which may be required by either branch of Councils, or by any officer or department of the city government in the due transaction of the public business, and necessary thereto, shall whenever the same is to be furnished by the printer fully authorized by the Printing Committee be furnished only on a requisition from the Controller, founded upon an application to him from the proper officer of department requiring such supplies, and whenever it shall happen, that the price or cost of the same shall not be fixed by or be attainable under the contract relating to the public printing and binding, the City Controller, by direction of the Printing Committee, shall advertise for proposals for doing the same in like manner, as for other City supplies not contracted for and all such proposals shall be referred to the Printing Committee for letting of such contract.

Section 14. That the binding of pamphlets and other publications of similar character and the re-binding of books for any of the public offices shall be done by the public printer at the same rates as shall be prescribed in the contract for similar work, but in any exceptional cases when rates cannot

be so ascertained, the Controller shall advertise for proposals for doing the same in like manner as provided for in case of printing not provided for in the contract.

Section 2. That any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same affects this ordinance.

Passed January 4, 1878.

Approved January 14, 1878.

Ordinance Book 5, page 138.

(No. 79.)

AN ORDINANCE—Authorizing the issue of bonds to provide for the completion of the new water works of the City of Pittsburgh.

WHEREAS, By an Act of Assembly entitled "An Act authorizing cities of the second class in this Commonwealth to increase their indebtedness the sum of three hundred thousand dollars for use in the construction of new water works," approved the 22d day of March, A. D. 1877, it is provided that the councils of cities of the second class shall be and they are hereby authorized to increase the indebtedness of said cities of the second class the sum of three hundred thousand dollars, and for that purpose to issue the bonds of said cities in such denominations as the said council shall determine, for a period not exceeding thirty years, and bearing interest at a rate not exceeding six per centum; provided, that the proceeds of said loan shall be used in the construction of new water works, and that at the time of the creation of said loan the Councils shall provide for the collection of an annual tax sufficient to pay the interest and also the principal of the loan within thirty years; and provided further, also, that if the revenue from water works shall be sufficient to pay the interest, and also after the payment of the running expenses and the payment of the interest and principal of previous loans as provided by Act of Assembly, the Councils shall appropriate such revenue to the payment of the interest and principal of previous loans as provided for by Act of Assembly, the Council shall appropriate such revenue to the payment of the interest and principal of the loan hereby authorized, therefore.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same,

That the City Controller be and he is hereby authorized and directed to prepare and issue registered bonds in the name of the City of Pittsburgh to the amount of one hundred thousand dollars, in accordance with the Act of Assembly as aforesaid. The proceeds of said loan shall be used in the construction of the new water works.

Section 2. Said bonds shall be in such denominations as the Finance Committee may direct, not less than one thousand dollars each, payable in thirty years from the first day of January, 1878, which shall be the date of said bonds, with interest, at the rate of six per centum per annum, payable semi-annually, on the first days of January and July in each year.

The principal shall be payable at the office of the City Treasurer in the City of Pittsburgh, and the interest at said City Treasurer's office. Said bonds shall be signed by the Mayor and countersigned by the City Controller, and shall be sealed by the Mayor with the corporate seal of said City.

Section 3. Said bonds shall be registered in the office of the City Treasurer and shall be transferable on the books of the Treasurer and not otherwise.

Section 4. Said bonds shall be sold by the Controller and Treasurer, under the direction of the Finance Committee; provided that none of the said bonds shall be sold for less than the par value thereof.

Section 5. The City Controller shall keep a correct account of all bonds which may be issued in pursuance of this ordinance, and of all moneys received and paid for on account thereof, and shall cancel and file all bonds which may at any time be paid by the City Treasurer.

Section 6. That the Councils shall annually at the time of the passage of the appropriation ordinance levy a tax and set aside and appropriate of the proceeds of said tax, the sum of six thousand dollars for the payment of the interest of said bonds, and the further sum of three thousand, three hundred and thirty-three dollars and thirty-three and one third cents as a sinking fund for the redemption of said bonds at maturity.

Section 7. That any ordinance or part of ordinance conflicting with the provisions of this ordinance, be and the same is hereby repealed so far as the same affects this ordinance.

Passed December 31, 1877.

Became a law without the signature of the Mayor, January 15, 1878.

Ordinance Book 5, page 136.

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